

Record of

The University of North Carolina at Chapel Hill



School of Law

Issue 1985-1986

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Record of
**The University of
North Carolina**

at Chapel Hill
(USPS 651-960)

SCHOOL OF LAW

Announcements for 1985-1986

► THE UNIVERSITY OF NORTH CAROLINA

Sixteen Constituent Institutions

William C. Friday, B.S., LL.B., LL.D., D.C.L., President

Raymond H. Dawson, B.A., M.A., Ph.D., Vice President-Academic Affairs

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Roy Carroll, B.A., M.A., Ph.D., Vice President-Planning

Cleon F. Thompson, Jr., B.S., M.S., Ph.D., Vice President-Student Services and Special Programs

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Arnold K. King, A.B., A.M., Ph.D., Assistant to the President

R. D. McMillan, Jr., B.S., Assistant to the President for Governmental Affairs

Richard H. Robinson, Jr., A.B., LL.B., Assistant to the President

John W. Dunlop, B.A., Director, The University of North Carolina Center for Public Television

History of the University

The University of North Carolina is comprised of all the public institutions of higher education in North Carolina that confer degrees at the baccalaureate level or higher. The University was authorized by the State Constitution in 1776, and it was chartered in 1789 by the General Assembly.

The University of North Carolina opened its doors to students at Chapel Hill in 1795. Thereafter, beginning in the latter part of the nineteenth century, the General Assembly of North Carolina has established and supported fifteen other public senior institutions in keeping with Article IX, Section 8, of the Constitution of North Carolina which provides that the "General Assembly shall maintain a public system of higher education, comprising The University of North Carolina and such other institutions of higher education as the General Assembly may deem wise."

By 1969 The University of North Carolina included six constituent institutions, governed by a single Board of Trustees. This multicampus University had its beginnings in legislation enacted in 1931 that defined The University of North Carolina to include The University of North Carolina at Chapel Hill, North Carolina State University at Raleigh, and The University of North Carolina at Greensboro. In the 1960s three additional campuses were added: The University of North Carolina at Charlotte, The University of North Carolina at Asheville, and The University of North Carolina at Wilmington.

Beginning in 1877, the General Assembly of North Carolina established or acquired ten additional separately governed state-supported senior institutions of higher education. They are: Appalachian State University, East Carolina University, Elizabeth City State University, Fayetteville State University, North Carolina Agri-

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cultural and Technical State University, North Carolina Central University, North Carolina School of the Arts, Pembroke State University, Western Carolina University, and Winston-Salem State University. Then, in 1971, the General Assembly redefined The University of North Carolina, and under the terms of that legislation all sixteen public senior institutions became constituent institutions of The University of North Carolina.

The constitutionally authorized Board of Trustees of the six-campus University of North Carolina was designated the Board of Governors and this body is by law The University of North Carolina. The Board of Governors consists of thirty-two members elected by the General Assembly, and it is charged with "the general determination, control, supervision, management, and governance of all affairs of the constituent institutions." The chief executive officer of the University is the President.

Each constituent institution of the University has its own faculty and student body. The chief administrative officer of each institution is the chancellor, and the chancellors are responsible to the President.

Each constituent institution also has a board of trustees composed of thirteen members: eight elected by the Board of Governors, four appointed by the Governor, and the elected president of the student body *ex officio*. (The School of the Arts has two additional *ex officio* trustees.) The principal powers of these institutional boards are exercised under a delegation of authority from the Board of Governors.

1985

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► CALENDAR 1985-1986

SUMMER SESSION 1985

May 20-June 25	First Term
July 1-August 6	Second Term

FALL SEMESTER 1985

August 19-20, Monday-Tuesday	Orientation and Registration, First-Year Students
August 20, Tuesday	Registration, Second- and Third-Year Students
August 21, Wednesday	Classes Begin
September 2, Monday	Holiday, Labor Day
September 4, Wednesday	Last Day to Drop Classes
October 13, Sunday	First-Year Practice Examinations
October 18, Friday	Fall Recess Begins, 5:00 P.M.
October 23, Wednesday	Fall Recess Ends, 8:00 A.M.
November 27, Wednesday	Thanksgiving Recess Begins, 1:00 P.M.
December 2, Monday	Thanksgiving Recess Ends, 8:00 A.M.
December 4, Wednesday	Last Day of Classes
December 5, Thursday	Reading Day
December 6, Friday	Fall Semester Examinations Begin
December 21, Saturday	Fall Semester Examinations End

SPRING SEMESTER 1986

January 7, Tuesday	Classes Begin
January 21, Tuesday	Last Day to Drop Classes
March 7, Friday	Spring Vacation Begins, 5:00 P.M.
March 17, Monday	Spring Vacation Ends, 8:00 A.M.
March 31, Monday	Holiday, Easter Monday
April 22, Tuesday	Last Day of Classes
April 23, Wednesday	Reading Day
April 24, Thursday	Spring Semester Examinations Begin
May 8, Thursday	Spring Semester Examinations End
May 11, Sunday	Commencement

SUMMER SESSION 1986

May 19-June 24	First Term (May 26, Holiday, Memorial Day)
June 30-August 5	Second Term (July 4, Holiday)



CONTENTS

Calendar / 5
Administration and Faculty / 7
The School of Law / 11
Admission / 15
Expenses / 21
Scholarships, Loans, Employment / 21
Housing / 24
Scholastic Regulations / 27
Degrees / 31
Student Activities / 34
Honors, Awards, and Prizes / 37
Placement / 40
Summer Law School / 41
Description of Courses / 42
Institutions Represented / 60
Residency Requirements / 62
Index / 67
Map of Campus / 68

► THE UNIVERSITY OF NORTH CAROLINA AT CHAPEL HILL

CHRISTOPHER COLUMBUS FORDHAM III, M.D., Chancellor

SUSAN HAUGHTON EHRINGHAUS, J.D., Assistant to the Chancellor

DOUGLASS HUNT, LL.B., Special Assistant to the Chancellor

DAVID D. DILL, Ph.D., Assistant to the Chancellor for Planning

ROBERT J. CANNON, Ph.D., Affirmative Action Officer

¹MARIA A. YOUNG, A.B., Secretary to the University

DONALD ARTHUR BOULTON, Ed.D., Vice Chancellor and Dean of Student Affairs

HOWARD GARLAND HERSHEY, JR., D.D.S., Vice Chancellor, Health Affairs

GEORGE PHILIP MANIRE, Ph.D., Vice Chancellor and Dean of the Graduate School

²SAMUEL RUTHVEN WILLIAMSON, JR., Ph.D., Provost

³JOHN CHARLES MORROW III, Ph.D., Provost

JOHN DOUGLAS SWOFFORD, M.Ed., Director of Athletics

⁴ROLLIE TILLMAN, JR., D.B.A., Vice Chancellor, University Relations

HAROLD GENE WALLACE, M.Div., Vice Chancellor, University Affairs

FARRIS W. WOMACK, Ed.D., Vice Chancellor, Business and Finance

► SCHOOL OF LAW

KENNETH S. BROUN, B.S., J.D., Dean

JOHN V. ORTH, A.B., J.D., M.A., Ph.D., Associate Dean

RICHARD A. BADDOUR, A.B., M.A., Assistant Dean

BEVERLY W. CUTTER, B.S., Assistant Dean

► FACULTY EMERITI

Date in parentheses indicates date joined Faculty.

HERBERT RALPH BAER (1945), Alumni Distinguished Professor

A.B., Cornell, 1923; LL.B., Harvard, 1926

HENRY PARKER BRANDIS, JR. (1940) Graham Kenan Professor of Law

A.B., North Carolina, 1928; LL.B., Columbia, 1931; LL.D., Catawba, 1951; North Carolina (Chapel Hill), 1983

ALBERT COATES (1923) Professor of Law

A.B., North Carolina, 1918; LL.B., Harvard, 1923; LL.D., Wake Forest, 1960; Duke, 1971; North Carolina (Chapel Hill), 1974

MARY WILHELMINA OLIVER (1955) Professor of Law, Law Librarian

A.B., Western Maryland, 1940; B.S. in L.S., Drexel, 1943; J.D., North Carolina, 1951

JOHN WINFIELD SCOTT, JR., (1962) Graham Kenan Professor of Law

B.S., Auburn, 1943; LL.B., Harvard, 1947; LL.M., 1951

FRANK RANSOM STRONG (1965) Cary C. Boshamer Distinguished Professor

A.B., Yale, 1929; J.D., 1934; LL.D., N.C. Central, 1978; Ohio State, 1978

SEYMOUR WALTER WURFEL (1960) Professor of Law

A.B., Pomona, 1927; LL.B., Harvard, 1930; J.D., Emory, 1950

¹Effective December 3, 1984.

²Effective October 1, 1984.

³Resigned September 30, 1984.

⁴Resigned December 31, 1984.

► FACULTY

Date in parentheses indicates date joined Faculty.

WILLIAM BRANTLY AYCOCK (1948) Kenan Professor

B.A., North Carolina State, 1936; A.M., North Carolina, 1937; J.D., 1948; LL.D., Wake Forest, 1959; Atlas Christian, 1959; Duke, 1963

BORIS I. BITTKER Visiting Professor of Law

B.A., Cornell, 1938; LL.B., Yale, 1941, LL.D., Colorado, 1982

WALKER JAMESON BLAKEY (1971) Professor of Law

A.B., Harvard, 1963; J.D., Ohio State, 1967

ADAM H. BROOME (1984) Assistant Professor of Law

B.S., Mississippi, 1977; J.D., Harvard, 1981

LISSA LAMKIN BROOME (1984) Assistant Professor of Law

B.S., Illinois, 1978; J.D., Harvard, 1981

KENNETH S. BROUN (1968) Professor of Law; Dean

B.S., Illinois, 1960; J.D., 1963

CAROLINE NICHOLSON BRUCKEL (1979) Associate Professor of Law

A.B., California (Berkeley), 1969; M.A., Rochester, 1972; J.D., Miami, 1976

PATRICIA L. BRYAN (1982) Associate Professor of Law

B.A., Carleton, 1973; J.D., Iowa, 1976; LL.M., New York, 1982

ROBERT GRAY BYRD (1963) Burton Craig Professor

B.S., North Carolina, 1953; J.D., 1956

JEAN M. CARY (1982) Lecturer in Law

B.A., Duke, 1971; J.D., Georgetown, 1975

DONALD F. CLIFFORD, JR. (1964) Aubrey L. Brooks Professor of Law

A.B., Catholic University, 1957; LL.B., Colorado, 1963

JOHN M. CONLEY (1983) Associate Professor of Law

B.A., Harvard, 1971; J.D., Duke, 1977; Ph.D., 1980

CHARLES EDWARD DAYE (1972-81, 1985) Professor of Law

A.B., North Carolina Central, 1966; J.D., Columbia, 1969

LAURA N. GASAWAY (1985) Professor of Law; Law Librarian

B.A., Texas Woman's University, 1967, M.L.S., 1968; J.D., Houston, 1973

S. ELIZABETH GIBSON (1983) Associate Professor of Law

A.B., Duke, 1972; J.D., North Carolina (Chapel Hill), 1976

EUGENE GRESSMAN (1977) William R. Kenan, Jr. Professor

A.B., Michigan, 1938; J.D., 1940

HARRY E. GROVES (1981) Henry Brandis Professor of Law

B.A., Colorado, 1943; J.D., Chicago, 1949; LL.M., Harvard, 1959

THEODORE F. HAAS (1982) Assistant Professor of Law

A.B., Boston College, 1968; Ph.D., Stanford, 1978; J.D., Yale, 1980

SEYMOUR L. HALLECK, Professor of Psychiatry and Adjunct Professor of Law

Ph.B., Chicago, 1948; B.S., 1950; M.D., 1952; Sc.D. (Hon.), Rockford, 1969

PAUL G. HASKELL (1979) Graham Kenan Professor of Law

A.B., Harvard, 1948; J.D., 1951

THOMAS LEE HAZEN (1980) Professor of Law

A.B., Columbia, 1969; J.D., 1972

JOSEPH JOHN KALO (1972) Professor of Law

A.B., Michigan State, 1966; J.D., Michigan, 1968

- WILLIAM F. LARIMER (1982) Lecturer in Law
B.A., Pittsburgh, 1972; J.D., North Carolina (Chapel Hill), 1975
- NORMAN LEFSTEIN (1975) Professor of Law
LL.B., Illinois, 1961; LL.M., Georgetown, 1964
- RONALD C. LINK (1971) Professor of Law
B.A., Illinois, 1961; M.A., California (Berkeley), 1962; J.D., Illinois, 1965
- ARNOLD HERBERT LOEWY (1968) Professor of Law
B.S., Boston University, 1961; LL.B., 1963; LL.M., Harvard, 1964
- MARTIN BERNARD LOUIS (1965) Professor of Law
A.B., Princeton, 1956; LL.B., Harvard, 1959; LL.M., 1965
- WILLIAM PATRICK MURPHY (1971) Paul B. Eaton Professor of Law
B.A., Southwestern, 1941; LL.B., Virginia, 1948; J.S.D., Yale, 1960
- BARRY NAKELL (1970) Professor of Law
LL.B., Illinois, 1966
- JOHN V. ORTH (1978) Professor of Law; Associate Dean
A.B., Oberlin, 1969; J.D., Harvard, 1974; M.A., 1975; Ph.D., 1977
- DANIEL HUBBARD POLLITT (1957) Graham Kenan Professor of Law
A.B., Wesleyan, 1943; LL.B., Cornell, 1949
- BURNELE VENABLE POWELL (1979) Associate Professor of Law
B.S., Missouri (Kansas City), 1970; J.D., Wisconsin, 1973; LL.M., Harvard, 1979
- MICHELLE F. ROBERTSON (1985) Lecturer in Law
B.A., Duke, 1973; M.A., Georgia, 1976; J.D., North Carolina (Chapel Hill), 1982
- RICHARD A. ROSEN (1980) Associate Professor of Law
B.A., Vanderbilt, 1969; J.D., North Carolina (Chapel Hill), 1976
- SALLY BURNETT SHARP (1978) Professor of Law
B.A., Murray State, 1964; M.A., North Carolina, 1966; J.D., Memphis, 1977; LL.M., Yale, 1978
- MARIANNE K. SMYTHE (1981) Professor of Law
B.S., Bucknell, 1963; J.D., North Carolina (Chapel Hill), 1974
- NELSON FEREBEE TAYLOR (1973) Cary C. Boshamer Professor of Law
B.A., North Carolina, 1942; LL.B., Harvard, 1949; M.A., Oxford, 1955; LL.D., Elon, 1973; Duke, 1977
- DESTIN SHANN TRACY (1983) Clinical Assistant Professor of Law
B.A., Eckerd, 1977; J.D., North Carolina (Chapel Hill), 1981
- WILLIAM J. TURNIER (1973) Professor of Law
B.S., Fordham, 1963; M.A., Pennsylvania State, 1967; LL.B., Virginia, 1968
- JUDITH WELCH WEGNER (1981) Associate Professor of Law
B.A., Wisconsin, 1972; J.D., California (Los Angeles), 1976
- ARTHUR M. WEISBURD (1981) Assistant Professor of Law
A.B., Princeton, 1970; J.D., Michigan, 1976
- LUCIE E. WHITE (1984) Lecturer in Law
B.A., Harvard, 1972; J.D., 1981
- KENNETH R. WING (1977) Associate Professor of Law and Public Health
B.A., California (Santa Cruz), 1968; J.D., Harvard, 1971; M.P.H., 1972
- LAWRENCE A. ZELENAK Visiting Assistant Professor of Law
B.A., Santa Clara, 1976; J.D., Harvard, 1979

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DAVID S. RUDOLF, Visiting Lecturer, A.B., J.D.

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TIMOTHY L. COGGINS, B.A., M.S., J.D., Associate Law Librarian
PATRICIA WALL, A.B., Acquisitions Librarian
DEBORAH K. WEBSTER, A.B., M.S.L.S., Head of Reference

EDITH C. FINLEY, A.A., Administrative Assistant to the Dean
CAROLYN C. CANNON, B.S., M.A., Director of Placement
CATHERINE SCHWEITZER, A.B., M.A., Director of Public Relations, Alumni Secretary
KAREN D. HAYWOOD, Registrar

► THE SCHOOL OF LAW

History

The Law School, which developed into the School of Law of the University, was founded in 1843 at Chapel Hill as a private school by William H. Battle, then a judge of the Superior Court, later a justice of the Supreme Court of the state. In 1845, Judge Battle was made professor of law in the University, and it was provided that the degree of Bachelor of Laws should be conferred on those completing the prescribed two-year course. From the records of the University, however, it seems that few degrees were actually conferred. For a long time the School maintained a certain independence of the University. The professor of law received no salary, though he enjoyed the fees from his classes. The students were not entirely subject to the discipline of the University.

This was the position of the School during the professorship of Judge Battle, who retired in 1879, during the two years when the law classes were conducted by Kemp P. Battle, the President of the University, and, to a considerable extent, during the professorship of John Manning, who was elected in 1881 and died in 1899. The building in which the School was conducted from 1923 to 1968 was named for Professor Manning. In 1899 the School was completely incorporated into the University, with the late James C. MacRae, previously a justice of the Supreme Court of North Carolina, as the first Dean.

The School of Law is approved by the North Carolina Board of Law Examiners. It has been a member of the Association of American Law Schools since 1920. The School was recognized by the American Bar Association as an approved school in 1925. It is listed as an approved school by the Section of Legal Education and Admissions to the Bar, American Bar Association, and is registered as an approved law school by the Department of Education of the State of New York.

Sense of Mission

The primary role of this School of Law is to prepare students for practice in the legal profession. This contemplates the American legal profession at large and in its manifold aspects of specialization and emphasis. This role is not adequately discharged by narrow concentration on the more vocational aspects of the profession, but requires as well major curricular attention to the institution of law in its historical, sociological, and philosophical aspects. Neither is this role acceptably discharged by overconcentration in the particular jurisprudence and legal institutions of the supporting state, as distinguished from Anglo-American systems in general. Proper goals of legal education in a state university such as The University of North Carolina must be to prepare graduates to be skilled and competent craftsmen of the profession in the various state and federal systems in which they may practice, to be valuable critics and reformers of the institutions of law in whatever system (including that of the supporting state) they may acquire influence, and to be constructive and imaginative shapers and implementers of policy through the political processes in which a great number will always be involved.

Program of Instruction

The basic course of instruction for the J.D. degree requires full-time enrollment in residence over three academic years.

Each entering class is introduced to the case method of study in an orientation program which precedes the start of classes in the fall. This method, which predominates as the form of instruction in the basic courses, employs judicial opinions in actual cases raising the legal issues and problems relevant to the course of study. These cases also provide the common point of reference for classroom discussion and for the development of analytical techniques so essential to legal thought. Classroom discussion is considered important not only as a teaching tool but as an exercise in sharpening the abilities to challenge, distinguish, and analyze in depth. Students also have some practical experience in legal research and writing.

The constant scrutiny of the relationship of man and law and the expanding role of the lawyer in this process have precipitated teaching innovations. The curriculum and instruction are enriched by the development of problems courses, a closed-circuit television system, teachers from other disciplines such as psychiatry, sociology, and history, team-teaching and research with other disciplines such as social relations, urban planning and environmental health, and clinical experience.

The student body currently numbers approximately 700 and the faculty 35. This ratio serves to support the admissions policy, a recognition of individual student identity and needs, and a tradition of easy student access to faculty. Each student has a faculty adviser and is expected to consult the adviser regarding registration, course changes, deficiencies in scholarship, and any other problems with which the advice of a faculty member might be helpful.

The curriculum is designed to give students a basic legal education which will fit them for practice in any state and the federal judicial system. Legal doctrine and contemporary problems are studied in the context of the Anglo-American common law system, and the study materials draw from case decisions, statutes and regulations of all the American states, the federal system, and to some extent from various systems in the British Commonwealth. Graduates have compiled an excellent record on the bar examinations in other states.

First-year courses are prescribed and cover the fundamental subjects in substance and procedure and introduce students to legal research and writing. The class is divided into three sections for these courses, and further divided so that each student has at least one course in a small section. The second and third years embrace wholly elective programs, although some courses are considered so basic that they are elected by practically all students regardless of interest or projected career. Seminars, which require papers rather than examinations and are limited to 12 students each, are among the offerings, particularly for third-year students. At least one seminar and the course in Professional Responsibility must be taken prior to graduation.

The school has a vigorous Trial Advocacy program in sufficient sections to provide supervised experience in pretrial and trial settings for all interested third-year students. The school currently offers a Criminal Law Clinic, an Appellate

Defender Clinic, and a Civil Legal Assistance Clinic. They provide opportunities for students to represent actual clients under direct faculty supervision.

Students who secure appropriate permission may take courses in other graduate divisions of the University for up to three hours of credit toward the law degree.

Programs are available for earning combined degrees in Law and Regional Planning (J.D./M.R.P.), Law and Business Administration (J.D./M.B.A.), Law and Public Policy Sciences (J.D./M.A.P.P.S.), and Law and Public Health (J.D./M.P.H.) in four years rather than the usual five years (see DEGREES, pages 31-33).

A wide range of voluntary student activities and organizations supplement the academic program with research, writing, clinical and administrative experience, and provide social and recreational opportunities.

Van Hecke-Wettach Hall

Van Hecke-Wettach Hall is a physical complex of dramatic contemporary architecture, designed to accommodate the present and future needs of modern legal education. Named for two former deans, Maurice Van Hecke and Robert Wettach, the structure consists of two basic units and connecting bridges. The east unit contains classrooms, seminar rooms, administrative offices, courtroom, student lounge and lockers, student organization offices, snack bar, and typing room. The west unit contains the library on five stack levels and includes a student typing room, conference room, carrels, and on the top perimeter faculty offices and lounge. Although on the fringe of the present campus, the law school is within easy walking distance of residence halls, dining halls, athletic facilities, student union and store, and the main library.

Law Library

The law library occupies the major portion of the west wing of the law school. With a collection of approximately 275,000 volumes, the library provides a basic collection of Anglo-American legal materials for the study of law and for research in law. Included in the collections are the reports of both American and English appellate courts, annotated report sets, and special subject court reports. Current codes are available for all fifty states and for many of the other common law jurisdictions as well as earlier English and American statutory materials. Holdings of session laws are extensive and, with the laws represented in the William Sumner Jenkins collection of early state records on microfilm in the Davis Library of the University, provide almost complete coverage of state session laws. There is a well-rounded collection of legal periodicals which includes all of the current law reviews. Treatises, digests, encyclopedias, citators, loose-leaf services and social science materials of interest to the legal profession are available. The law library has holdings of the briefs and records of cases on appeal in the North Carolina courts since 1927, with earlier ones available on microfilm. The briefs and records of the U.S. Court of Appeals for the Fourth Circuit are available from 1891, and similar material for the U.S. Supreme Court is available on microfiche.

Law students and law faculty have access to Westlaw and Lexis computer-based retrieval systems for legal materials. The library reference staff provides training in the use of computerized legal research systems.

The law library has seating space for approximately five hundred students, much of it as individual study tables or carrels. A well-equipped microform room contains readers for materials on microfilm, microcard, and microfiche. A student typing room provides carrels for those wishing to use typewriters in the library, and a conference room is available, on request, for students or visitors. The library has open stacks, and the books are readily accessible to those wishing to use the materials. During the regular terms the library is open from 7:30 A.M. to 12:00 midnight on weekdays, with shorter hours during weekends and vacation periods.

The facilities of other libraries of The University of North Carolina are available to students in the law school. The collection of federal and state documents and materials in the social sciences at Davis Library is of particular interest to the legal scholar.



► ADMISSION

Prelaw Study

The prospective law student needs the broadest possible educational background. The law faculty recommends courses in English composition and literature, American and English history, a laboratory science, logic and ethics, psychology, political science, economics, accounting, Latin or a modern foreign language, mathematics, sociology, and advanced expository writing.

Nevertheless, the law faculty is less interested in the specific courses taken by the prelaw student than in his or her development of the capacity to read and comprehend rapidly and accurately, to speak and write clearly and correctly, to think precisely, to analyze complex fact situations, and to understand human behavior. The student should also strive to learn the origin and history of modern institutions and to understand the functions of law in the modern world.

It is very important that the student form consistent, disciplined, mature habits of study before entering school.

The *Prelaw Handbook* published by the Law School Admission Council, in cooperation with the American Bar Association and the Association of American Law Schools, offers a good comprehensive single source of information on prelaw study, law schools, admissions, and the legal profession. This book can be purchased directly from the Law School Admission Service or from bookstores, or may be found in libraries, prelaw, and guidance offices.

Academic Requirements

The minimum academic requirement for admission to the School of Law is an academic degree from an approved accredited college or university. Admission to the School of Law is a competitive process, and applicants with the strongest credentials have the best chance for admission.

Application for Admission

A completed application for admission file consists of:

- 1) An application for admission and supplementary forms which should be obtained from and submitted to the Admissions Office, School of Law, The University of North Carolina at Chapel Hill, Van Hecke-Wettach Hall 064A, Chapel Hill, NC 27514, beginning in August for admission in the following August. Priority is given to applications received by February 1 and completed by March 1.

- 2) A \$15 application fee which should accompany the application form and which is not refundable and may not be credited or applied to subsequent fees.

- 3) Transcripts of grades from all colleges or universities attended, processed through the Law School Data Assembly Service (LSDAS). The applicant must register with LSAT/LSDAS, Box 2000, Newtown, PA 18940 and then assume responsibility for having all transcripts sent to LSDAS. Transcripts reflecting work completed subsequent to completion of an initial LSDAS file may be sent to LSDAS

or direct to the law school Admissions Office. Transcripts reflecting graduate school work must also be sent to LSDAS or direct to the law school.

4) LSAT Scores. All applicants must take the Law School Admission Test (unless it is waived for physical disability) and have the test score incorporated in the LSAT/LSDAS report. In the absence of extraordinary circumstances, if a candidate repeats the LSAT, the average of the scores earned will be used in the admission process.

5) Completed current Law School Application Matching Form obtained from LSAT/LSDAS Registration Packet, authorizing the law school to order an LSAT/LSDAS report.

6) Additional information which may be required of some applicants.

Applicants are reminded that, although LSAT/LSDAS reports from previous years are retained and may be retrieved and reported on request, LSDAS registrations expire after twelve months, and, therefore, an LSDAS registration from a previous year may not be reused in the current year to complete an application. LSAT/LSDAS reports previously received by the Office of Admissions and containing complete academic information on all work attempted and all LSAT results may be used with the approval of the Office of Admissions.

Letters of recommendation are not required. If an applicant chooses to submit letters, no more than two should be requested.

Law School Admission Test

The University of North Carolina School of Law, together with many other law schools throughout the country, makes use of "The Law School Admission Test" administered by the Law School Admission Council. Applicants should write to LSAT/LSDAS, Box 2000, Newtown, PA 18940 for an application form for this test and a bulletin giving information about its administration. This material is also available on most college campuses and in Chapel Hill at the office of the Dean of the School of Law or at Peabody and Nash Halls.

A fee is charged for the examination. The test is given at many points throughout the country, including Chapel Hill, in October, December, February, and June.

Scores are sent, combined with other data in the LSAT/LSDAS report, to those law schools to which the applicant submits LSAT/LSDAS Law School Application Matching Forms.

The Law School Admissions Bulletin contained in the LSAT/LSDAS Registration Packet includes LSAT preparation material and a complete sample of the test. Applicants are advised to become familiar with the form, style, and instructions of the test by completing the sample test under simulated conditions.

Candidates should take the test in June, October, or December for admission in the fall semester of the following year. The February and June test results are received too late for timely application in the same year.

Review Process

Admissions decisions are made progressively from fall into the late spring, and are controlled to insure that all applications submitted by February 1 and completed by March 1 are given equal consideration.

A substantial majority of admissions decisions are made on the basis of combining LSAT scores with the undergraduate grades. Those applicants who rank among the highest and the lowest on this standard are offered or denied admission primarily on this basis. In order to assure the educational benefits of meaningful diversity of background and other enriching qualities in the class, those candidates who are ranked in the middle range on this standard may be considered by the Admissions Committee on the basis of various other factors reflected in the appropriate sections of the application, as well as LSAT scores and undergraduate grades. These factors may include, among others: unique work or service experience, leadership potential, maturity, demonstrated compassion, a history of overcoming disadvantage including physical disability, ability to communicate with the poor, exceptional personal talents, race or ethnic origin, trends or development in academic program, writing skills, demonstrated analytical skills, strength of undergraduate program, graduate school performance, and any other relevant factors.

In evaluating undergraduate academic achievement, substantial amounts of credit earned in various mechanical or technical courses, correspondence courses, military service, or practical or studio arts and music courses may be excluded.

Acceptance and Enrollment

If an application for admission falls within a clear admission or denial category, the applicant will receive notification as soon as a decision can be made. If it falls in the middle range, a decision may be delayed until late spring.

Within the period designated in the notification of admission, the applicant must make a deposit of \$100. This will be credited to University tuition for the term for which admission is granted and is not refundable unless enrollment is prevented by circumstances clearly beyond the control of the admitted student.

Beginning students are admitted only once a year to the fall semester. After receiving notice of admission some beginning students may enroll in the summer session, although first-year courses are not offered in the summer session. Applicants interested in this possibility may write to the Dean for details. In the opinion of the law faculty, entry in the fall is preferable.

Applications are accepted, and admission granted, for the current year only, except in extraordinary circumstances. The Assistant Dean for Admissions may grant a one-year deferment upon the request of the applicant. Deferments are approved on an individual basis.

Admission to Advanced Standing

A student from another school of law which is a member of the Association of American Law Schools or approved by the American Bar Association Section of Legal Education and Admission to the Bar may be admitted to advanced standing as a candidate for a degree. As a rule, no more than one year's work in another school will be credited, but, with the consent of the faculty of this school, two year's work may be credited in exceptional cases, provided the last year of work for the degree in law is done in residence. A student seeking admission to advanced standing must present satisfactory evidence that at the time he or she began the study of law he or she would have been an acceptable applicant for admission to this law school.

Applicants for admission to advanced standing may be admitted at the beginning of any semester (except the second semester of the first or third year) or summer term. No student will be admitted who is ineligible to return to the institution last attended.

An application for admission to advanced standing consists of the same items required of beginning students, as well as grades for completed law school courses, and must be completed by April 15. Grades for law courses completed after that date must be transmitted as soon as available. The application must also include a statement of the reason for the proposed transfer.

Since the number of vacancies, if any, in the advanced classes cannot be determined until spring semester grading is completed, admissions decisions are not usually made before mid-June.

Visiting Students

A student currently enrolled at another law school may apply as a visiting student (nondegree) by submitting the application for admission, the application fee, a statement as to the reason for visiting, and copies of transcripts from all law schools attended.

Registration for Admission to the Bar

Some states require registration with the State Board of Law Examiners at the start of law studies for students who expect to take the bar examination upon graduation. Applicants are urged to consult the regulations of the Board of Law Examiners in the states where they expect to practice.

Registration to sit for the North Carolina bar examinations, which are given twice a year, in February and July, must be filed with the North Carolina Board of Law Examiners by the first Tuesday in March prior to the year in which the individual plans to sit for the examinations.

► THE HONOR SYSTEM

For almost a century, students at The University of North Carolina have accepted responsibility for their own conduct and discipline in academic and nonacademic affairs. The student body defined this responsibility in two codes, the Honor Code and the Campus Code. These codes and provisions for their enforcement have been incorporated into the "Instrument of Student Judicial Governance" which has been formally adopted by the student body, approved by the Faculty Council and approved by the Chancellor. Acceptance by a student of enrollment in the University presupposes a commitment to these codes and to the principles of self-regulation on which their continued viability rests.

The law school Attorney General, who is appointed by the Student Bar Association, is responsible for the enforcement of the Honor Code at the law school.

The Honor Code

It shall be the responsibility of every student at The University of North Carolina to obey and to support the enforcement of the Honor Code, which prohibits lying, cheating, or stealing when these actions involve academic processes or University, student, or academic personnel acting in an official capacity.

Academic work is a joint enterprise involving faculty and students. Both have a fundamental investment in the enterprise and both must share responsibility for ensuring its integrity.

A Responsibility of Students

- 1) To conduct all academic work within the letter and spirit of the Honor Code which prohibits the giving or receiving of unauthorized aid in all academic processes.
- 2) To consult with faculty and other sources to clarify the meaning of plagiarism; to learn the recognized techniques of proper attribution of sources used in the preparation of written work; and to identify allowable resource materials or aids to be used during examination or in completion of any graded work.
- 3) To sign a pledge on all graded academic work certifying that no unauthorized assistance has been received or given in the completion of the work.
- 4) To comply with faculty regulations designed to reduce the possibility of cheating – such as removing unauthorized materials or aids from the room and protecting one's own examination paper from view of others.
- 5) To maintain the confidentiality of examinations by divulging no information concerning an examination, directly or indirectly, to another student yet to write that same examination.
- 6) To report any instance in which reasonable grounds exist to believe that a student has given or received unauthorized aid in graded work. Such report should be made to the Office of the Student Attorney General or the Office of Student Affairs.

- 7) To cooperate with the Office of the Student Attorney General and the defense counsel in the investigation and trial of any incident of alleged violation, including the giving of testimony when called upon. Nothing herein shall be construed to contravene a student's rights enumerated in Section V.A.2.b of the Instrument.

The Campus Code

It shall be the further responsibility of every student to abide by the Campus Code; namely, to conduct oneself so as not to impair significantly the welfare or the educational opportunities of others in the University community.

All nonacademic conduct that infringes upon the rights or welfare of others at the University is thus embodied in the Campus Code. Violations of the Campus Code are handled in the same manner as violations of the Honor Code.

Procedure for Reporting

Violations of either the Honor Code or Campus Code may be reported directly by the observer to the Student Attorney General or the Office of the Dean of Student Affairs. If practicable, the observer can request that the accused student turn himself in for the alleged violation within 24 hours before the matter is directly reported. Faculty members who have cause to turn in a student should handle the case in the same manner.

Other Information

Complete information on the Student Judicial System including the Code of Student Conduct, procedures for hearings, appeals, sanctions and guaranteed student rights, may be obtained in the "Instrument of Student Judicial Governance" which is provided to each entering student and is always available in the Student Attorney General's office and the Division of Student Affairs.



► **EXPENSES**

Tuition and other fees are shown below on a per semester basis.

	N.C. Resident	Nonresident
Tuition	\$240.00	\$1,550.00
General Fees	144.50	144.50
Law School Fees	15.75	15.75

The University reserves the right, with the approval of the proper authorities, to make changes in tuition and fees at any time.

Tuition and fees are due at registration and must be paid by the last day of registration for each semester. Failure to pay at the proper time will result in a late payment fee and possible disenrollment.

► **SCHOLARSHIPS, LOANS, EMPLOYMENT**

Applications for financial aid are made on standard University Student Aid forms. Application instructions may be obtained by mailing to the University Student Aid Office, 300 Vance Hall 057A, a designated card which is included with the application for admissions materials. The Financial Aid Form (FAF) should be submitted to the college Scholarship Service by March 1. By applying for student aid, students are automatically considered for scholarship and grant awards.

Special Scholarships

A limited number of scholarships administered by the law school are available. Admitted applicants are automatically considered for these scholarships. Since financial need is usually a consideration, it is to the applicant's advantage to file a Financial Aid Form.

E.S.W. DAMERON SCHOLARSHIP. The heirs of E.S.W. Dameron, Sr., have established a fund providing each year a scholarship of approximately \$800. This scholarship is awarded to a student who has demonstrated superior academic performance during his first two years of law school.

ALBERT JOSEPH ELLIS SCHOLARSHIP. This scholarship of \$1,000 is awarded each year to a member of the entering class. It is retained for three years upon satisfactory performance. Recipients are selected on the basis of merit and need. Special effort is made to identify students with the potential and inclination for the kind of career of public service that distinguished Albert Ellis's productive and inspiring life.

HUNTON & WILLIAMS SCHOLARSHIP. The firm of Hunton & Williams, through its Raleigh Office, has established a \$1,500 annual scholarship in recognition of the quality of the legal education at this school. Character, academic excellence, and need are taken into consideration in the awarding of the scholarship.

SARAH GRAHAM KENAN FOUNDATION SCHOLARSHIPS. A substantial distribution from the Sarah Graham Kenan Foundation is devoted to the award of several larger scholarships to incoming students of great promise who can also demonstrate some degree of financial need.

LAW ALUMNI ASSOCIATION SCHOLARSHIPS. The Law Alumni Association has made available funds for scholarship grants to be awarded primarily on the basis of need. Four scholarships in the range of \$800-\$1,000 per year are awarded to incoming students selected on the basis of promise of superior academic performance and demonstrated need. These are renewed for the three years of law school upon satisfactory performance by the student. A number of other awards, usually in the amount of resident tuition, are made each year. Preference is given to upperclass students.

CHARLES S. MANGUM, JR., SCHOLARSHIPS. The Charles S. Mangum, Jr., Scholarship Fund, established from the estate of Charles S. Mangum, Jr., provides annually for \$1,000 scholarships which are awarded on merit to two members of each entering class who, upon satisfactory performance, retain the scholarships for the three years of law school.

L.A. MARTIN SCHOLARSHIP. The L.A. Martin Scholarship was established by a bequest of Lister A. Martin as a memorial to his grandson, Martin N. Erwin. The scholarship is in the amount of approximately \$600.

MINORITY PRESENCE GRANT PROGRAM. Under the Board of Governors general Minority Presence Grant Program, black students may be eligible for special financial assistance if they are residents of North Carolina, enrolled for at least three hours of degree-credit coursework, and demonstrate financial need.

MINORITY PRESENCE GRANT PROGRAM FOR LAW. The Minority Presence Grant Program for Law provides stipends of up to \$5,500 for the academic year

for black residents of North Carolina. Recipients are selected on the basis of merit and need and must be full-time students pursuing law degrees at The University of North Carolina at Chapel Hill.

NORTH CAROLINA SOFT DRINK ASSOCIATION FRED O. BOWMAN SCHOLARSHIP. The Fred O. Bowman Scholarship fund established by the North Carolina Soft Drink Association, Inc., provides each year one or more scholarships in the amount of \$500. Recipients of these awards are usually incoming students who retain the scholarship for the three years of law school upon satisfactory performance. Recipients must have been bona fide residents of North Carolina for five years preceding their admission to the School of Law.

SEAWELL SCHOLARSHIP. Income from a fund established as a memorial to the late North Carolina Supreme Court Justice A.A.F. Seawell and two of his sons, Malcolm B. Seawell and Edward H. Seawell, provides approximately \$600 annually for a scholarship for a law student.

STUDENT AID FUNDS SCHOLARSHIPS. The University provides a limited amount of scholarships for law students with good scholastic records from Student Aid Funds. These awards are generally in the amount of North Carolina resident tuition.

W. FRANK TAYLOR SCHOLARSHIP. This scholarship is awarded in recognition of the outstanding service of Mr. Taylor to the state of North Carolina as State Senator and Speaker of the House of Representatives and to the University of North Carolina as longtime member of the board of trustees of the University of North Carolina at Chapel Hill. It is awarded each year in the amount of \$1,000 to a member of the entering class, preferably to a student from Wayne or Duplin counties, N.C. The scholarship is retained for the three years upon satisfactory performance.

Loans

Guaranteed student loans are available through appropriate state agencies and the Law School Assured Access Program. LSAAP applications may be obtained from the Law School Admissions Council, Box 2500, Newtown, PA 18940. A student may obtain the GSL application from a lender or state agency in his or her state of residence. The completed LSAAP or GSL application should be sent to the Student Aid Office, 300 Vance Hall, for loan eligibility.

Students are required to meet federal and University financial need criteria for loans. Parental support and self-help are required by law when appropriate.

The Student Bar Foundation, a student organization, awards loans to a limited number of students who demonstrate substantial financial need. Applications may be obtained during the academic year from the Foundation office in the law school.

A loan fund in memory of the late Associate Dean Morris R. Gelblum has been established to assist students in temporary financial emergencies. The fund makes available small noninterest-bearing loans for short periods of time. In addition, the Student Aid Office has a limited Emergency Loan Fund from which short-term loans up to \$200 can be made in critical situations, with repayment due in not more than ninety days.

Employment

The study of law is a full-time obligation requiring the average student to devote at least 60 hours per week to his or her courses. The law faculty recommends most strongly that students arrange their finances so as to avoid the necessity of outside employment, particularly during the first year. Accreditation standards require that a student may not be employed in excess of 20 hours per week while attending law school on a full-time basis.

For those students who must work, a limited number of positions are available in the Law Library. Inquiries should be addressed to the Librarian. A number of second- and third-year students are employed as research assistants within the law school. Notices of these opportunities are posted as they become available. Law students may be employed by the University as residence hall counselors. Information and applications may be obtained from the Office of Residence Life, Carr Building 103A.

The North Carolina Lawyers' Research Service is a student-run, nonprofit corporation fulfilling a twofold purpose. Paid student researchers, primarily second- and third-year students, gain experience in legal research aimed at concrete factual situations and in dealing with attorneys for whom they are working. Practicing attorneys have a resource in the law school where for minimal fees they can have specific areas of the law researched and summarized in a memorandum geared especially to the facts of their cases.

The Student Aid Office is the central location where notices of campus and community job opportunities are posted in the stairwell of Vance Hall. Such jobs are negotiated independently with employers on and off campus.

Housing

A wide variety of university, commercial, and private housing is available, but because Chapel Hill is almost exclusively a university community the best choices are available in the spring and early summer.

The university provides housing for unmarried students in residence halls, one of which is reserved, in part, for graduate students. Laundry and linen services are available at reasonable rates. Inquiries should be directed to the Department of University Housing, Contracts Office, Carr Building 103A, The University of North Carolina at Chapel Hill, NC 27514.

The university has several hundred apartments available for student family housing, consisting of one bedroom and two bedroom units. Early application is strongly recommended to Manager, UNC Student Family Housing, Odum Village, Branson Street, Chapel Hill, NC 27514.

There are also privately operated residence halls in University Square. These buildings have a cafeteria dining commons, and the fee charged includes room and board. Arrangements for these accommodations should be made directly with the Granville Towers Business Office, University Square, Chapel Hill, NC 27514.

Commercial and private housing information can be found by consulting the Housing Office in Carr Building, local real estate agents, the Chamber of Commerce, 104 S. Estes Dr., Chapel Hill, NC 27514, and the local newspapers.

Student Health Service

In order to provide proper medical care for the student, the University employs fifteen full-time physicians, two psychiatrists, three clinical psychologists, and two clinical social workers. It maintains an infirmary with modern diagnostic facilities.

The health fee, paid by all enrolled students, covers most of a student's primary medical needs and health problems, including professional services of Health Service personnel, most laboratory and x-ray charges, and certain drugs. Charges are made for hospitalization and for specialty clinics in orthopedic, eye, ear, nose and throat, and dermatology. Certain highly specialized services (major surgery, consultation, certain types of x-ray and laboratory procedures not available at the Health Service) are rendered by the North Carolina Memorial Hospital at standard charges.

Due to the great expense of care beyond that provided by the student health fee, it is very important that all students have satisfactory medical insurance coverage. The University endorses a Student Group Insurance Plan and information can be obtained at the Health Service.



Parking

Law students may be assigned parking permits by applying through the Student Bar Association. The order of priority for parking permits is (1) third-year students, (2) second-year students, and (3) first-year students. First-year students cannot apply for a permit until the first day of orientation.

Notice on "Directory Information" to All Students of The University of North Carolina at Chapel Hill

The University of North Carolina at Chapel Hill has routinely made public certain information about its students. Some typical ways this has been done include the following: names of students who are selected by the various honorary societies, who receive scholarships, who make the Dean's List, who hold offices, or who are members of athletic teams are frequently made public. To facilitate campus communication the university annually publishes the *Campus Directory*. Some professional and graduate school student groups publish directories of students in their departments or schools. The annual commencement program publishes the names of persons who have received degrees during the year.

The Family Educational Rights and Privacy Act defines the term "directory information" to include the following categories of information: the student's name, address, telephone listing, date and place of birth, major field of study, participation in officially recognized activities and sports, weight and height of members of athletic teams, dates of attendance, degrees and awards received, and the most recent previous educational agency or institution attended by the student. The university will make public information about each student *limited* to these categories in ways such as those described above. Of course, information from all these categories is not made public in every listing. The *Campus Directory*, for example, publishes only names, addresses, and telephone numbers.

Under the FERPA regulations, the University will also disclose personally identifiable information from the education records of a student without the student's prior written consent, to officials of another school or school system in which the student seeks or intends to enroll.

Students who do not wish to have any or all "directory information" made public and who do not want information about them to be disclosed to other schools, as set forth above, without their prior consent must notify the Office of Records and Registration, The University of North Carolina at Chapel Hill, of this fact in a signed and dated statement specifying items that are not to be published. This notice must be received by the Office of Records and Registration by the end of the registration period for the semester or session of first enrollment or, after an absence, of re-enrollment, and by the end of each fall registration period thereafter.

► SCHOLASTIC REGULATIONS

Grading Scale

Grades are assigned on the following basis:

Letter Grade	Grade Point Value
A	4.0
A -	3.75
B +	3.25
B	3.0
B -	2.75
C +	2.25
C	2.0
C -	1.75
D +	1.25
D	1.0
D -	.75
F	0

In rare instances a grade of A + (4.25) may be awarded in recognition of exceptionally high performance.

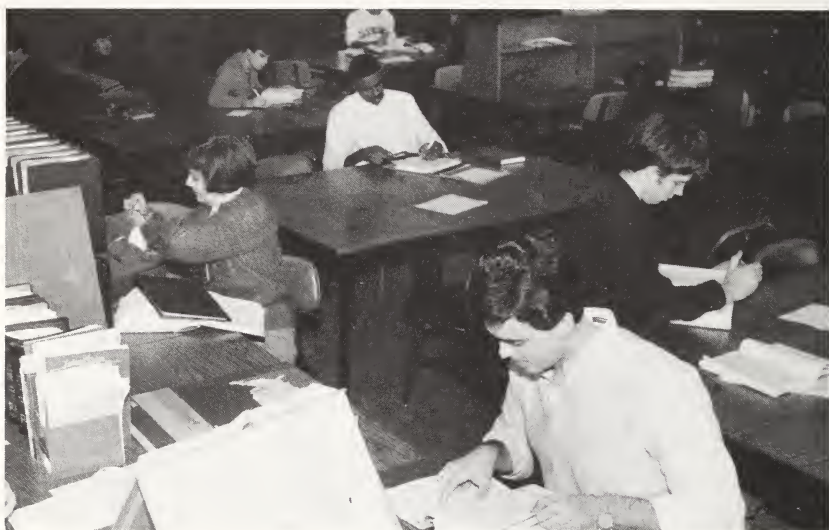
A grade point average of 1.75 is required to be eligible to continue in school, and for graduation.

The required annual average for each year shall be computed and exclusions determined only at the end of the spring semester in each year. The average required for graduation shall be computed whenever the student shall have completed the required amount of work.

Examinations

In first-year courses quizzes are held in October for advisory purposes only and are not recorded or counted in student averages. Final examinations are held at the end of each semester in all courses except seminars.

No student is required to repeat any course in which he or she made a course grade of F. In the event the student elects to repeat a course, he or she may do so the next time the course is regularly given following the failure, and both grades are recorded and averaged as of the respective years in which they are awarded.



Attendance and Exclusion

Any student who fails to maintain the required scholastic average for any academic year is automatically excluded from the law school at the close of the spring semester in the year in which such failure occurs.

Accreditation standards provide that regular and punctual class attendance is necessary to satisfy residence and class hours requirements.

The faculty may drop from the school at any time a student who is too frequently absent from classes or who, in its judgment, is not making sufficient progress to warrant his or her continuing in the school. Any instructor, with the concurrence of the Dean, may drop a student from a course at any time for unsatisfactory work, poor attendance, or other cause.

Readmission

Each student admitted to the law school is presumed to be able, through diligent effort, to complete law study without academic failure. No student, therefore, who is excluded will be readmitted unless he or she persuades the faculty's readmission committee that despite the failure there is substantial likelihood that he or she will successfully complete law study if readmitted. The committee gives due consideration to all factors positively indicating such likelihood.

Students who withdraw from law school voluntarily may be readmitted within a five-year period.

Course Load Per Semester

The normal amount of work for upperclass students is twelve to fourteen class hours a week; the maximum is fifteen, except in some cases when the Dean gives special permission to take sixteen. Students who are carrying burdensome responsibilities will be required to register for less than the normal course load in the School of Law.

No student passing fewer than ten hours will be considered as fully complying with the requirements of residence for University degrees or for the state bar examinations. Special regulations are applicable to the summer session.

Courses in Other Departments

A student may be granted permission by the Dean to take course work in other graduate divisions of the University for up to three hours of credit toward the law degree upon a showing by the student satisfactory to the Dean or his delegate that the course chosen shall make a significant contribution to his or her legal education. Such permission must be secured before the student's enrollment in the course for which he or she seeks credit toward the law degree. A grade of P or better (on the basis of the usual graduate school grading criteria of H, P, L, and F) will be transferred to the student's law school record on a credit basis. Such grade will not be averaged into the cumulative grade point average of the student.

This policy is not designed to affect in any way the continuing opportunities available to law students to take or audit courses in other divisions of the university on a noncredit (toward the law degree) basis.

Auditing

Students may audit classes in which space is available provided permission is obtained from the teacher and the Dean. Permission should not be sought unless the student intends to attend class regularly for the entire semester. Persons not enrolled in the law school or another school or department of the university ordinarily may not audit law classes. No record is kept of courses audited, and no fees are charged.

Dropping/Adding Courses

Students will not be permitted to drop/add any course more than two weeks after the beginning of a semester, except under unusual circumstances, such as extended absence because of illness of the student or in the student's family. No course may be dropped or added at any time except upon approval of the Dean.

Withdrawals

If a student wishes to withdraw at any time other than at the end of a term, a formal withdrawal, which is prerequisite to honorable dismissal or reentrance to this institution, must be approved by the Dean. Such a withdrawal will be approved only after full investigation of the circumstances and after the lapse of twenty-four hours from the time the first application is filed with the Dean. The withdrawal form, after approval by the Dean, must be filed promptly with a recorder in Room 1, Hanes Hall.

A student withdrawing within the first nine weeks of a term may procure a pro rata refund of tuition paid.



► DEGREES

Juris Doctor

The degree of Juris Doctor (J.D.) is conferred upon a student who has studied law for a period of at least three academic years (six semesters) and has satisfactorily completed enough subjects, required and elective, to make up an aggregate of eighty-six semester hours. Four regular semesters and three complete summer sessions, or five regular semesters and one and one-half summer sessions, are regarded as in compliance with the residence requirements. Residence requirements may not be waived, and students should plan their programs so as to avoid deficiencies. All students must take at least one seminar in order to graduate, and it is recommended that students take two seminars, normally one each semester of the third year.

Students are required to have two substantial research and writing experiences after the first year in order to graduate. One such experience must be a seminar. The other ordinarily must be completed satisfactorily in the second year and may be a second seminar, one year's participation on the *North Carolina Law Review* or the *North Carolina Journal of International Law and Commercial Regulation*, completion of either publication's writing competition (completion of the *Law Review* writing competition held in the summer immediately following the student's first year qualifies; completion of the *Journal of International Law* writing competition held in the spring semester of the student's first year does not qualify), participation in the fall voluntary moot court competition or an inter-law school moot court competition, service on the Holderness Moot Court Bench, participation in the interviewing and counseling competition (including preparation of a written memo), participation in a clinic for the specified term, completion of defined assignments for the Prisoners' Rights Project, an independent research study project under faculty supervision, a paper written in a "paper course" in lieu of a final examination (if the project meets certain criteria and the project is approved in advance by the Associate Dean), or such other activity as may be approved in advance by the Associate Dean. Memorandums done during summer employment or based on research done during summer employment do not qualify.

All degree candidates must complete the course in Professional Responsibility (L 266) prior to graduation.

The School of Law reserves the right to change rules and requirements governing instruction and graduation and to change any other regulations affecting the student body. Any changes will become effective and apply to prospective students and also, when so provided, to students already matriculated.

Juris Doctor with Honors

The degree of J.D. with Honors will be awarded to those students who comply with the following requirements:

1. Completion of requirements for the J.D. degree.
2. Attainment of a weighted average grade upon all law courses taken of 3.0 or more or the top third, whichever yields the smaller number.

3. Preparation of two publishable *Law Review* notes or such other written material not prepared for course work as the Editor of and the Faculty Adviser to the *Law Review* shall deem substantially equivalent in quality and effort; or

Preparation of two publishable *Journal of International Law* notes or such other written material not prepared for course work as the Editor of and the Faculty Adviser to the *Journal of International Law* shall deem substantially equivalent in quality and effort; or

Preparation, individually or with others, of at least two writing projects for programs administered through the Holderness Moot Court Bench which satisfy guidelines established by the Dean, provided that the Chief Justice of and the Faculty Adviser to the Bench shall deem the student's contribution to the writings to be of high quality.

The degree of J.D. with High Honors will be awarded to those students who have completed all requirements for the J.D. with Honors and who, in the judgment of the faculty, have demonstrated superior legal scholarship in their work as a whole. In limited instances, the degree of J.D. with Highest Honors may be awarded in recognition of exceptionally high performance.

Combined Degree Programs

J.D./M.R.P. The combined degrees of J.D. and Master of Regional Planning (M.R.P.) may be earned in four years, including one summer session, by enrollment in the joint program of the School of Law and the Department of City and Regional Planning. Admission to each school must be gained independently. The complete prescribed first-year curriculum of the law school must be taken, as a unit, and certain planning courses are required. The remainder of the curriculum is completely elective, subject to the approval of a joint faculty committee of both schools. A candidate must complete successfully the combination of 74 semester hours in the law school and 36 semester hours in the planning department.

Material describing the program in greater detail is available on request from the Admissions Office or from the Chairman, Department of City and Regional Planning, New East Building 033A, The University of North Carolina at Chapel Hill, Chapel Hill, NC 27514.

J.D./M.B.A. The combined degrees of J.D. and Master of Business Administration may be earned in four years by enrollment in the joint program of the School of Law and the School of Business Administration. Admission to each school must be gained independently. In the first year of the program, candidates must take the complete prescribed first-year curriculum in either law or in business and in the second year, that of the other school. In the third and fourth years,

elective law courses and prescribed business courses make up the remainder of the curriculum. A candidate must complete successfully the combination of 74 semester hours in the law school and 46 semester hours in the business school.

Material describing the program in greater detail is available on request from the Admissions Office or from the Executive Director, M.B.A. Program, Graduate School of Business Administration, Carroll Hall 012A, The University of North Carolina at Chapel Hill, Chapel Hill, NC 27514.

J.D./M.A.P.P.S. (Duke) The combined degrees of J.D. and Master of Arts in Public Policy Sciences may be earned in four years, by enrollment in the joint program of the School of Law and the Institute of Policy Sciences at nearby Duke University. Admission to each school must be gained independently. The first academic year is spent exclusively in the law school, the second exclusively in the Institute of Policy Sciences, and the third and fourth years mainly in the law school, but with one public policy sciences course each semester. A candidate must complete successfully the combination of 74 semester hours in the law school and 30 semester hours in the Institute of Policy Sciences.

Material describing the program in greater detail is available on request from the Admissions Office or from the Director of Graduate Studies, Institute of Policy Sciences and Public Affairs, 4875 Duke Station, Durham, NC 27706.

J.D./M.P.H. The combined degrees of J.D. and M.P.H. may be earned in four years by enrollment in the joint program of the School of Law and the School of Public Health. Admission to both schools must be gained independently.

Candidates take the complete prescribed first-year curriculum in the law school, usually in the first year of the program. Candidates spend their third or fourth year in residence at the School of Public Health. A candidate must complete a total of 86 semester hours in the law school and 30 semester hours in the School of Public Health. A series of health-related elective courses is recommended, but candidates are free to develop their course work and research plan in public health according to individual interest and experience.

Further information may be obtained from Professor Kenneth Wing, School of Public Health, 253 Rosenau Hall 201H, or School of Law, Van Hecke-Wettach Hall 064A.

► STUDENT ACTIVITIES

North Carolina Law Review

The *North Carolina Law Review*, a prominent state and national scholarly journal established in 1922, analyzes current legal problems and significant new developments in the law. Six times each year, the *Review* publishes not only the scholarship of lawyers, judges, and professors from across the country, but also the contributions of student staff members. A student board of editors takes total editorial responsibility for the *Review*. The board of editors annually selects new staff members based on academic performance or demonstrated ability in writing competition held during the summer. Each spring the board chooses its successors based on scholarship, writing ability, performance of staff duties, and other appropriate factors. Membership on the board is one of the highest honors a law student can attain.

Student Bar Association

The Student Bar Association seeks to provide education and service outside the formal academic structure of the law school. Each law student is a member of the SBA, which is governed by an elected Board of Governors including representatives of each class.

The SBA serves as an umbrella organization for a host of student groups, providing support for the Prisoners' Rights Project, the Environmental Law Clinic, the Student Funded Fellowship Program (subsidizing students employed in summer public interest positions), Black Law Students Association, American Indian Law Students Association, Women in Law, and others.

SBA activities include an orientation program for first-year students, publication of a monthly student newspaper and an annual student directory, procurement of speakers through the Speakers Committee, and sponsorship of social functions for students and faculty. In addition, the SBA allocates student lockers, typing desks, library carrels, and parking permits. The SBA nominates students for representation on certain standing faculty committees and chooses a number of student committees, including Personnel and Elections. It is the student contact with the Law Alumni Association and is also responsible for the selection of Student Honor Court members through appointment and election.

These and other activities are financed by student activity fees which are managed and budgeted among legitimate student interest groups by the Board of Governors.

Holderness Moot Court

The Holderness Moot Court program is designed to provide law students with the opportunity to develop practical skills in legal research and writing, client counseling, and appellate oral advocacy. All moot court activities are directed by the Moot Court Bench, which is comprised of third-year students.

Membership on the Bench is competitive. Those second-year students who demonstrate outstanding advocacy skills during the fall and spring voluntary moot court competitions are invited to join the Bench the following year and are eligible to represent the school in the Jessup International Moot Court Competition, the National Moot Court Competition, the ABA Client Counseling Competition, the Sutherland Cup Competition, and others.

The J. Braxton Craven, Jr., Memorial Moot Court Competition, which deals with contemporary issues of constitutional law, is sponsored each year by the Bench and attracts teams from 32 law schools across the country.

North Carolina Journal of International Law and Commercial Regulation

The *North Carolina Journal of International Law and Commercial Regulation* is a student-run legal journal focusing on the area of international business law. The *Journal* prints articles, comments, case notes, recent developments, and book reviews by students, professors, and practitioners.

The *Journal* has two principal goals: to provide practical information on international business law for the growing number of lawyers and business people involved in international trade; and to provide legal research, writing, and editing experience for UNC law students. Staff members are selected solely on the basis of an annual writing competition. The editors are selected from the staff by the prior board of editors with the approval of the faculty.

Black Law Students Association

The Black Law Students Association is a forum for the sharing and solving of problems unique to black students in the law school community. It provides academic support by sponsoring workshops and symposia and by supplying individualized assistance. It sponsors social events throughout the year, and it speaks on behalf of the needs of black students to the administration, faculty, and the student body. The Black Law Students Association is affiliated with the Law Students Civil Rights Council and the North Carolina Association of Black Lawyers.

Women in Law

Women in Law is an association of law students who represent and promote women's interests in the law school, the legal profession, and the general community. Its major activities include publication and updating of *Women and the Law: A Handbook for North Carolina*, presentation of panel discussions and speakers on legal issues affecting women, and coordination of a "Trial Techniques for Women" workshop. An educational, political, support, and social organization, Women in Law provides a forum for all students to discuss the problems which confront women law students, women attorneys, and other women affected by the legal system.

John J. Parker Society of International Law

The John J. Parker Society of International Law, an affiliate of the Association of Student International Law Societies, strives to promote participation in the study of public and private international law. Among the Society's activities are the presentation of speakers and sponsorship of discussion and research in the field of international law. Membership is open to all students, including first-year students.

American Indian Law Students Association

The American Indian Law Students Association (AILSA) is a national organization whose objectives are to promote unity and cooperation among Indian law students and to provide a base from which work can be done for the advancement of Indian people. AILSA strives to improve communication among Indian law students and Indian people, Indian lawyers, and the general public by providing a forum for the discussion of legal and nonlegal problems affecting American Indians. The members of the AILSA chapter at the University of North Carolina invite students to contact them for further information.

Prisoners' Rights Project

Prisoners' Rights Project volunteers respond to inmate requests for legal information and provide legal and administrative assistance where possible. Project participation exposes student volunteers to a variety of criminal issues and develops legal research and client contact skills. The only organization of its kind in the state, Prisoners' Rights Project serves a vital role in providing legal assistance to the North Carolina prison population. Meetings feature guest speakers on topics related to the work of the project.

Prospective Student Association

The Prospective Student Association (PSA) is a student-run group designed to introduce prospective students to the law school with a building tour, class visitation, and meeting with current students. Appointments with the PSA can be made by calling the receptionist at (919) 962-5106 or by writing to Prospective Student Association, UNC School of Law, Van Hecke-Wettach Hall 064A, Chapel Hill, NC 27514.

The Law Guild

The Law Guild is an organization which sponsors orientation sessions for spouses of law students. The Law Guild meets periodically during the year to discuss topics of interest.

Athletic Facilities

On registration all students are automatically entitled to the use of the University's athletic equipment and facilities, most of which are adjacent to Van Hecke-Wettach Hall, and attendance at athletic events, subject to seating limitations, at no additional charge. Law school teams compete regularly in intramural sports.

► HONORS, AWARDS, AND PRIZES

Order of the Coif. In 66 of the leading schools of law in this country conforming to high scholastic standards, chapters of the honorary society of the Order of the Coif have been installed. Chapters may elect to membership any graduating senior (1) who has completed at least 75% of his or her law studies in graded courses and (2) whose grade record ranks in the top 10% of all of the graduating seniors. The members are selected upon graduation by vote of the North Carolina Chapter.

Order of Barristers is a national association of law school moot court organizations established to promote excellence in brief writing and oral advocacy. The Order is composed of more than 50 member schools, each of which selects up to ten persons who have exhibited outstanding achievement in or service to their school's moot court program.

The North Carolina Academy of Trial Lawyers, to encourage interest in trial advocacy and improvement in trial practice, presents a book prize to the student in each section of the course in Trial Advocacy who demonstrates greatest improvement in performance in the course.

American Jurisprudence Award. The Lawyers Cooperative Publishing Company and Bancroft-Whitney Company award certificates and relevant titles of American Jurisprudence 2d to students earning the highest grades in certain courses.

The Block Improvement Award is presented each year to the third-year student who, upon sincere devotion to law studies during all of his or her law school career, has made the most constant improvement in academic work from the date of enrollment to the end of the fifth semester. The \$300 Award has been established by Norman Block of the Greensboro Bar in memory of his father, Max Edward Block.

The Nathan Burkan Memorial Competition offers a first prize of \$500 and a second prize of \$250 to the second- or third-year students who write the best papers on copyright law each year. Winning papers are also entered in the national competition in which the best papers are considered for five national awards ranging from \$500 to \$3,000.

The Millard S. Breckenridge Award goes each year to the third-year student selected by the law faculty, upon recommendation of the faculty members teaching the appropriate subjects, for excellence in the study of the law of taxation. The award consists of the annual income (approximately \$200) from a fund given by Madelaine R. Brown.

The Judge Heriot Clarkson Award is presented annually to students making the highest grades in the courses in Professional Responsibility. The Award consists of law books or cash from a fund provided by the will of the late Associate Justice Heriot Clarkson of the North Carolina Supreme Court.

The Chief Justice Walter Clark Award, presented by his son, John W. Clark, is made to the five seniors who, at the end of their fifth semester, have the highest scholastic averages in the class. The award consists of the two-volume *Papers of Walter Clark*, edited by Aubrey L. Brooks and Hugh T. Lefler.

The Albert Coates Award is made from a fund initiated by a gift from the late Senator Sam J. Ervin, Jr., to a student who has earned distinction in the law school.

The James E. and Carolyn B. Davis Award, from a fund established by friends and family of the 1973 law school alumnus and his wife, is presented each year to a third-year student judged most outstanding in areas of academic achievement, leadership, and extracurricular involvement.

The Investors Title Insurance Company, in order to encourage and recognize excellence in the study of real property law, annually provides a cash award of \$500 and a plaque of recognition to a rising third-year student who has demonstrated excellence in the study of property law. The faculty will select, as the recipient of the award, the rising senior having the highest average grade in property courses. To be eligible, a student must take Property I and II and Trusts and Estates I and II.

The William T. Joyner Awards Fund was established by friends and family of the late Colonel Joyner to recognize excellence in writing for student publications. Each year two awards are presented, one to the student whose writing for the *North Carolina Law Review* and another to the student whose writing for the *North Carolina Journal of International Law and Commercial Regulation* are judged most outstanding.

The United States Law Week Award, a prize of approximately \$100 value, is given to the graduating student in law who, in the judgment of the faculty, has made the most satisfactory scholastic progress in his or her final school year. The award consists of a year's complimentary subscription to *Law Week*, which reports every week important new court decisions and federal agency rulings, and all Supreme Court opinions.

The West Publishing Company presents a West Hornbook to the student in each of the three classes who attains the highest scholastic average for the year.



► PLACEMENT

The administration and faculty assist prospective graduates and alumni in finding positions for the practice of law, government service, corporate management, and other work requiring a legal education. Students interested in nonlegal positions may use the facilities of the University Placement Service.

The School of Law provides a comprehensive placement program. The Placement Director is the administrative officer primarily responsible for the placement program.

Graduates of this school have been employed as law clerks to federal and state courts at all levels, as associates in law firms throughout North Carolina and nationwide, as staff attorneys in numerous government agencies, both state and federal, in the legal departments of major corporations, in legal services, and in public interest organizations. Approximately 60 percent of the graduates take positions in North Carolina and 40 percent in other states.

The placement office has developed a list of firms interested in employing second-year students as law clerks. The summer placement program is a source of valuable experience for the student and an excellent basis for permanent placement.

The School of Law will not knowingly make its facilities available to any potential employer that does not adhere to the principles of Title VII of the Civil Rights Act of 1964 providing for nondiscrimination in employment practices.

Publication of data on employment and earnings of graduates is required by federal regulations, but reliable data are not available because voluntary reporting is the only source of information. The best available information indicates that at least 92 percent of the classes of 1982 and 1983 took law-related positions within a year after graduation. As of the spring of 1985, the 220 members of the class which graduated in 1984 reported 163 in law-related positions, 5 pursuing other graduate degrees, 5 in nonlegal positions; 21 still seeking employment, 1 not seeking employment, and 25 of unknown status. The median starting salary of the 113 reporting was approximately \$25,000.

More meaningful and comprehensive information on employment opportunities and earnings is provided by educational, bar, and federal agency analyses on a regional and national basis.

► SUMMER LAW SCHOOL

The summer session is divided into two terms of five and one-half weeks each. Separate credit may be obtained from the work of each term. Credit for two and one-half semester hours will be given for each subject completed each term. By attending both terms of the summer session, a student may earn course and residence credits equal to one-third of a regular year.

All courses offered at the summer session are open to: (1) students in this law school; (2) duly accepted applicants for admission to advanced standing; and (3) advanced students in good standing in any law school which is a member of the Association of American Law Schools or approved by the American Bar Association Section of Legal Education and Admission to the Bar, even though such students do not expect to become candidates for this law school's J.D. degree. A student in this third category may be accepted for the summer session, without submitting a transcript, upon certification from the dean of the law school last attended that he or she is eligible to return to that school. No student will be permitted to enroll in more than two courses per term.

SUMMER SESSION 1985

Courses Offered

FIRST TERM

May 20-June 25

Administrative Law

Burnele V. Powell

Comparative Law

Edward A. Laing
(Howard)

Consumer Law

Donald F. Clifford

Criminal Procedure

Arnold H. Loewy

Professional Responsibility

Norman Lefstein

Real Estate Finance

Michael H. Hoeflich
(Illinois)

SECOND TERM

July 1-August 6

Federal Jurisdiction

William B. Aycock

Juvenile Law

Ilene B. Nelson
Visiting Lecturer

Labor Law

William P. Murphy

Trusts & Estates I

C. H. Sherrin
(Bristol, England)

Announcement of courses to be offered in the summer of 1986, precise dates, and tuition and fees will be available on request during the spring, 1986.

► DESCRIPTION OF COURSES

FIRST-YEAR COURSES

All first-year courses are required.

Civil Procedure L 201-202 **3 hrs, fall; 3 hrs, spring**

A comprehensive survey course. Attention is paid to the historical evolution of the Anglo-American procedural systems into the major contemporary American types, with emphasis being placed upon study of the latter. Pleading, parties, joinder, discovery, pretrial regulation, summary judgment and other disposition without trial, conduct of trial, jury selection, evidence assessment motions, jury instruction, verdicts, judgments, appellate review, res judicata. *Conley, Gibson, Kalo, Louis, Weisburd.*

Contracts L 203-204 **3 hrs, fall; 3 hrs, spring**

Offer and acceptance, consideration, assignment, third-party beneficiaries, express and implied conditions including material on each and some brief study of mistake, quasi-contract, the parol evidence rule, impossibility, the Statute of Frauds and related matters. *Blakey, A. Broome, L. Broome, Bruckel, Hazen, Lewis.*

Criminal Law L 205 **3 hrs, fall**

Principles of criminal law and the role of the criminal law in society; its scope, limitations, justifications, and idiosyncrasies. *Lefstein, Loewy, Nakell.*

Property L 207-208 **3 hrs, fall; 3 hrs, spring**

Introduction to estates in land and future interests; the doctrine of the use; the modern impact of English feudalism. Concurrent estates. Landlord-tenant rights and remedies. Land sale contracts; the statute of frauds, construction of contracts, equitable conversion. Conveyance by deed; delivery, escrows, construction. The recording system and the chain of title. Adverse possession. Title covenants and title insurance. Creation, scope, and termination of easements and covenants affecting land. Regulation of the use of land; nuisance, zoning, subdivision regulation, and eminent domain. *Aycock, Haskell, Link, Orth, Powell.*

Torts L 209-210 **3 hrs, fall; 3 hrs, spring**

Broad coverage of common law and statutory principles governing compensation for personal injury, property damage, and other harm. Specific areas of study include: intentional torts, negligence, wrongful death, worker's compensation, liability related to animals and abnormally dangerous activities, products liability, nuisance, misrepresentation, defamation, and privacy. *Byrd, Daye, Groves, Haas.*

**Introduction to Legal Writing
and Bibliography** L 295**1 hr. fall**

Instruction and assignments in legal bibliography and tools of research. Students are responsible for completion of two brief writing assignments. Additional work to insure writing competence may be required in individual instances. This course provides the basis for the spring semester Legal Research and Writing course. *Tracy, Staff.*

Legal Research and Writing L 296**3 hrs, spring**

A comprehensive introduction to legal research and writing. Students are required to complete an extensive memorandum of law and a moot court brief and to make an oral moot court argument. Additional work to insure writing competence may be required in individual instances. Emphasis is placed on legal analysis, synthesis, and effective legal writing. *Tracy, Staff.*

SECOND- and THIRD-YEAR COURSES

All courses of study in the second and third years are elective, except that the requirement of instruction in professional responsibility may presently only be satisfied by completing the course in Professional Responsibility and that the advanced research and writing requirements must be satisfied by completion of a seminar and a second seminar or one of the writing alternatives as stated on page 31. Students should plan a program of 10-15 hours of credit in each semester, keeping in mind that a total of 86 semester hours of credit is required for graduation. Courses marked * are scheduled for the convenience of second-year students and those marked † for third-year students.

Courses and seminars whose description indicates a semester and instructor will be offered in the 1985-86 school year. Other listings are indicative of courses which have been offered in recent years and which may be offered in subsequent years dependent upon staffing. The School of Law reserves the right to withdraw and add courses or change course content at any time.

Administrative Law L 220**3 hrs, fall and spring**

The law governing the operation of administrative officers, boards, bureaus and commissions; their procedure; their exercise of powers, legislative and judicial in nature; and the role of the courts on judicial review of administrative decisions. *Powell, Smythe.*

Admiralty L 222**3 hrs, spring**

Maritime jurisdiction, torts, contracts and possessory libels; seamen's rights; carriage of goods, maritime liens; charter parties; salvage; general average; collision; limitation of liability and marine insurance. Offered in alternate years with Ocean and Coastal Law. *Kalo.*

Antitrust Law L 226†**3 hrs, fall**

An examination of the federal antitrust laws, specifically the Sherman Act, the Clayton Act (excluding the Robinson-Patman Act) and the Federal Trade Commission Act. The course concentrates on the sources and abuses of market power and the ways in which competitors may combine or agree with each other or their customers or suppliers to limit or restrain competition. Although the economic and business aspects of these problems are closely studied, the underlying principles are provided in the course and casebook. Consequently, an undergraduate background in these areas is unnecessary. Students who have taken the course in Trade Regulation, which surveys many of the same areas, may not take this course. *Louis*.

Appellate Defender Clinic L 392**3 hrs**

Students represent convicted criminal defendants under direct faculty supervision. Typical cases involve appeals in the North Carolina appellate courts. Students interview clients, read trial transcripts to discover errors, prepare records on appeal, research legal issues, and write briefs on the defendants' behalf. This is a one-semester course and is open to third-year students in the fall and spring and second-year students in the spring. Enrollment is limited to facilitate supervision. Prerequisites: Evidence and Criminal Procedure; Trial Advocacy and Advanced Criminal Procedure are strongly recommended.

Bioethics and Law L 221**2 hrs**

The ethical and legal problems of expanding biological technology, such as experimentation and research, control of mind and behavior, genetic control, reproductive control, death control, and organ transplantation. Enrollment limited to 24.

Business Associations L 228***4 hrs, fall and spring**

An introduction to the law of corporations with supplemental attention given to partnership and agency law. Most of the course is devoted to an examination of the structure, control, and characteristics of the modern business corporation. It focuses on the organization of corporations, the distribution and exercise of powers of stockholders, directors, and officers, and the enforcement of corporate duties. It also considers some basic concepts of the law of agency and some aspects of partnership law. *Clifford, Hazen, Taylor*.

Civil Legal Assistance Clinic L 391**6 hrs, fall-spring**

Students represent indigent clients under direct faculty supervision. Cases may include landlord-tenant disputes, consumer claims, and government benefit claims. Students interview clients and witnesses, negotiate with opposing parties and their attorneys, prepare and argue legal motions, and conduct all trials and hearings. This is a two-semester course and is open only to third-year students. Enrollment is limited to facilitate supervision. Students entering the Civil Legal Assistance Clinic must also register for Lawyering Process – Civil in the fall. Prerequisite: Trial Advocacy (may be taken concurrently). *Cary, Rosen, White*.

- Commercial Paper** L 264* 2 hrs, fall and spring
The form and the legal and commercial advantages of negotiable instruments (promissory notes and checks); their use in consumer and commercial credit transactions; the conceptual devices including the concept of the holder in due course, by which the goal of protecting the interests of consumer and commercial debtors is reconciled with the goal of providing low cost credit. Analyzes the devices by which losses occasioned by the theft and alteration of negotiable instruments are allocated among the parties to these instruments, and similarly analyzes the allocation of losses occasioned by the insolvency of a party. Articles Three and Four of the Uniform Commercial Code are studied in depth. *L. Broome, Bruckel.*
- Comparative Law Analysis of Select EEC Member Nations** L 230 3 hrs, fall
An introduction to the civil law, with particular emphasis on French law. Explores the interaction of foreign and internal law and looks at some pertinent aspects of public law. Examines codification and the civil law method and considers the law of obligations. *Groves.*
- Conflict of Laws** L 232† 3 hrs, spring
A study of the rules applicable in private law where at least one of the elements in the case is connected with some state or country other than the one in which suit is brought. The course is often described as private international law. Areas considered include problems of domicile, characterization and conflict rule formulation, the recognition and enforcement of judgments of sister states and foreign countries; constitutional limitations on legal solutions to interstate transactions; and the criteria for choice of law in multistate tort, contract, workmen's compensation, property, family law, and business organization situations. Emphasis is placed on practical applications to tort and business litigation with interstate aspects. *Sharp.*
- Constitutional Law** L 234* 4 hrs, fall and spring
Judicial review of constitutional issues. The allocation of power between the state and federal governments, and the separate branches of the federal government. The limitations upon either government imposed by specific prohibitions, such as the First and Fourteenth Amendments. *Gressman, Loewy, Murphy.*
- Constitutional Law** L 234A-234B* 6 hrs, fall-spring
This year-long, six-hour course may be elected in lieu of the one-semester, four-hour course in Constitutional Law. Covers the same materials in greater depth and breadth and with more attention to current Supreme Court decisions and trends than possible in the four-hour course. Students have term paper option. Registration for four-hour course precludes registration for either semester of this course. *Pollitt.*
- Consumer Law** L 235 2 hrs, spring
Introduction to selected legislative and judicial developments relating to rights of consumers. Emphasis on detailed federal and state laws and regulations affecting disclosure of information (especially "Truth-in-Lending" and state retail installment sales legislation) and attempts to curb abusive practices. *Clifford.*



Corporate Finance L 236

3 hrs, spring

An advanced course in the law of corporations, being an examination of various aspects of corporate finance and means of effecting basic corporate changes. Considers types of securities, distributions to stockholders, and corporate acquisitions, mergers, recapitalizations, and charter amendments. Prerequisite: Business Associations. *Taylor.*

Criminal Law Clinic L 390

6 hrs, fall-spring

Students represent defendants and convicted prisoners under direct faculty supervision. Typical cases involve misdemeanors, juvenile cases, and probation revocation hearings in district and superior courts and parole hearings at the federal correctional institution at Butner. Students interview clients and witnesses, negotiate with prosecutors, prepare and argue legal motions, and conduct all trials and hearings. The course must be taken for two semesters and is open to third-year students only. Enrollment is limited to facilitate supervision. Students entering the Criminal Law Clinic must also register for Lawyering Process – Criminal in the fall. Prerequisites: Criminal Procedure, Trial Advocacy (may be taken concurrently); Advanced Criminal Procedure is strongly recommended. *Larimer, Robertson, Rosen.*

Criminal Procedure: Adjudication L 225 **3 hrs, spring**

Includes subjects such as institution and screening of criminal charges (grand jury, preliminary hearing, prosecutorial discretion); joinder and severance; pretrial release; prejudicial publicity; jury trial; privilege against self-incrimination; guilty pleas; speedy trial; confrontation and compulsory process; right to counsel; contempt; sentencing; double jeopardy; appeal; postconviction challenges. *Nakell*.

Criminal Procedure: Investigation L 206 **3 hrs, fall and spring**

The scope and limitations of permissible law enforcement conduct in the investigation of crime. Principal areas of coverage include search and seizure, police interrogation, and procedures for the identification of suspects. *Leffstein, Loewy, Nakell*.

Debtor-Creditor Relations L 238† **3 hrs, spring**

A study of the practical and legal dynamics of insufficient assets situations. What problems and conflicts arise for all concerned when one person's assets are not sufficient to meet the claims of all creditors? How does the law cope with these problems, resolve these conflicts and on what terms does it offer relief to debtors and afford remedies to creditors? The organizing doctrine of the course is the Federal Bankruptcy Code, and state-created creditor remedies and debtor relief devices are studied in this context both for their own importance and as they are affected by bankruptcy. *Gibson*.

Employment Discrimination L 243 **3 hrs, spring**

The legal and related issues raised in the employment area by laws (principally Title VII of the Civil Rights Act of 1964) which attempt to end a system of public and private employment based on an assumed natural superiority of the white race and male sex. The major area of attention will focus on the substantive question of what practices are, or should be, forbidden. Consideration will also be given to questions of remedies and procedure. *Pollitt*.

Environmental Law L 241 **3 hrs, spring**

A survey of national environmental law and policy. Particular topics may include water resources development, water and air pollution control, public land use policy, governmental regulation of the use of private lands, protection and use of the land-water margin, pesticide and toxic substance regulation, and solid wastes policy. *Smythe*.

Evidence L 242* **3 hrs, fall and spring**

Witnesses, examination, competency, and privilege. Rules of exclusion; evidence illegally obtained; opinion evidence; the hearsay rule and its exceptions. Rules as to writings, evidence of authenticity; best evidence rule. Remote and prejudicial evidence. Character and reputation. Judicial notice. *Blakey, Broun*.

Evidence, Advanced L 227 **3 hrs, spring**

Advanced study of basic topics covered in the beginning evidence course, including hearsay, expert testimony, and character, as well as presumptions, judicial notice, privileges, and constitutional issues concerning hearsay. Small-group courtroom role play exercises are used. Prerequisite: Evidence. *Blakey*.

Family Law L 244**3 hrs, fall**

A survey of the legal doctrines and policies concerning the creation, termination, and incidents of certain statuses: principally, spouse, parent, and child. The greatest portion of the course is devoted to the dissolution of marriage and the concomitant allocation, by contract or operation of law, of family wealth and child custody. Other topics include contracts in lieu of marriage; common law marriage; interstate and international aspects of family law; individual autonomy versus governmentally sanctioned morality; family autonomy versus governmental protection of family members, especially children. *Haas*.

Federal Jurisdiction L 246+**3 hrs, fall and spring**

Functionally, a study of judicial federalism. Central emphasis is given to the original and removal jurisdiction of the Federal District Courts, with attention also given to the appellate jurisdiction of the United States Court of Appeals and to the original and appellate jurisdiction of the Supreme Court of the United States. Conflicts between the federal and state judicial systems, and legislative and judicial efforts to resolve them, receive special attention. *Aycock, Gressman, Louis*.

Gender-based Discrimination L 281**3 hrs, spring**

An overview of various areas of the law in which men and women are treated differently. Focus is on outmoded sexual stereotypes embodied in laws and regulations and the attitudes existent in the judicial system. Areas of study include the constitutional standard of review for gender discrimination, family roles, domestic violence, employment, criminal law and the criminal justice system, credit, and education. *Gasaway*.

Health, Law, and Public Policy L 251**3 hrs, fall**

An overview of the law as it relates to the health services delivery system. Includes the financing of health services, the role of the government in protecting and promoting health, the relationship between providers and consumers of health services, a review of current public policy issues such as national health insurance, government regulation of the distribution of health-related resources, and limitations on scientific and medical research. *Wing*.

Housing L 255**3 hrs, fall**

Major federal housing and community development programs for urban and rural areas, together with selected state and local programs. Topics include: role relationships and role conceptions — federal, state, and local; role of the judiciary in protecting and expanding rights; housing strategies and alternatives; program models for housing (including public housing, low- and moderate-income housing, leasing, housing allowances, income support systems); community development models and control devices for urban and rural areas (including urban renewal, neighborhood development, model cities, community development block grants, zoning and land use controls, and new communities); tenants' rights and other selected legal and constitutional issues; economic and racial discrimination in housing and development. *Daye*.

- Insurance** L 250 2 hrs
General principles of insurance, including governmental supervision, property insurance, liability (including automobile) insurance, life insurance, selection and control of risks, marketing, and adjustments of claims.
- Intellectual Property** L 265 3 hrs, spring
The nature of copyright, trademark, patent, and trade secret protection. Circumstances under which each is appropriate and the steps necessary to secure, maintain, and enforce each form of protection. Considerable emphasis on adapting traditional intellectual property concepts to computer technology. *Conley*.
- International Law** L 252 3 hrs, fall
Concentrates on practical problems of international law. Subjects considered include sources and development of international law; treaty making, interpretation, enforcement and termination; recognition; territory; nationality; jurisdiction and immunities; state responsibility and international claims; and the law of war and neutrality. *Weisburd*.
- Interviewing, Counseling, and Negotiation** L 277 3 hrs
Taught largely through role play assignments in which students perform as lawyers, clients, and witnesses and through research, readings, and a series of papers concerning these performances and their implications. Because the interviewing, counseling, and negotiation cannot take place in a vacuum, this course also involves advanced legal research, evidence, and professional responsibility.
- Judicial Process** L 261 3 hrs
Explores how courts decide cases. Focus on the fact-finding process, historical, sociological, and philosophical methods of judicial decision making, the justice function of the courts, judicial, as opposed to legislative, law making, the dispute settling function of the courts, and judicial reasoning. Reading assignments from writings of judges, scholars, and court opinions.
- Labor Law** L 254 3 hrs, fall
Examines unionization and collective bargaining under the National Labor Relations Act, including the rights of employees, employer unfair labor practices, limits on union economic pressure, and the administration of the collective bargaining agreement. *Murphy*.
- Land Use Control** L 290 3 hrs, spring
Legal devices to regulate the use of land and to implement land use planning. Emphasis on zoning, subdivision control, historic preservation, and other selected topics. Completion of (or concurrent enrollment in) Constitutional Law is strongly recommended. *Wegner*.
- Law and Medicine** L 263 3 hrs
Deals with three broad topics: medical malpractice, structuring a malpractice case, and emerging ethical problems. Subissues include standard malpractice law, including psychiatric malpractice; informed consent; specialty practice; hospital law; problems of medical proof; forensic medicine; psychological

impact of malpractice litigation on client, physician, and patient; interviewing techniques; ethical problems facing the legal and medical professions; and issues posed by developing medical technology.

Lawyering Process – Civil L 233 **3 hrs, fall**

A course designed to teach students litigation skills with emphasis on civil practice. Topics covered include interviewing, counseling, fact and legal investigation, case preparation, negotiation, deposition practice, preparing interrogatories, and conducting pretrial conferences. Taught through simulation exercises and lecture/discussion classes. Open only to students enrolled in the Civil Legal Assistance Clinic. *Cary, Rosen, White.*

Lawyering Process – Criminal L 231 **3 hrs, fall**

A course designed to teach students litigation skills with emphasis on criminal practice. Topics covered include interviewing, counseling, fact and legal investigation, case preparation, plea bargaining, bail hearings, discovery, and sentencing advocacy. Taught through simulation exercises and lecture/discussion classes. Open only to students enrolled in the Criminal Law Clinic. *Larimer, Robertson, Rosen.*

Legal Accounting L 256 **3 hrs, spring**

An introduction to the fundamentals of accounting theory and practice and their relationship to the lawyer's function, particularly with respect to commercial, corporate, securities, and tax law. Emphasis is upon the accounting conventions governing the recording of business transactions, the determination of income, allocation of costs and expense, and the preparation of financial statements. Additional topics include consideration of the accountant's professional status and responsibility, and an introduction to basic principles of financial analysis. This course is offered for students who have had little or no accounting background. Students who have had more than six semester hours of college accounting must obtain the permission of the instructor to enroll for credit. *Visitor.*

Legal History L 259 **3 hrs, fall**

An introduction to historical ways of thinking about the law and legal development. Emphasis will be placed on the "modern" history of the common law, in England since Blackstone and in America since the Revolution. Prior historical study is not a prerequisite. *Orth.*

Local Government Law L 257 **3 hrs, fall**

An examination of the powers of and constraints upon local and state governments. Organization of local governments, including incorporation and annexation; state and local regulatory and fiscal powers and limitations; public officers and employees; liability under state and federal law; voting rights and problems of school finance. Does not overlap with coverage in Land Use Control. *Wegner.*

Ocean and Coastal Law L 262 **3 hrs**

A study of legal doctrines, policy choice, and evaluation relating to the allocation and use of ocean and coastal resources. Areas of emphasis include international, national, and state law pertaining to marine pollution; energy

production through utilization of outer continental shelf oil and gas reserves; thermal energy conversion and other methods; the utilization of fish stocks and other food resources of the oceans; the exploitation of mineral resources; waste disposal; and the problem of preservation of the ecological and physical processes of the marine environment and the coastal zone.

Probate Law L 293*

3 hrs, spring

An introduction to the law of intestate succession, wills, trusts, future interests, and administration, approached from the perspective of the planner and draftsman. Although some tax matters are considered, the course focuses on typical small to medium-sized estates in which federal tax problems do not predominate.

The course is a substitute for Trusts and Estates I and II for students who do not expect estate planning or real estate titles to be significant areas of interest but who want some acquaintance with issues that arise in wills, trusts and future interests. Since the course is designed for nonspecialists, those who elect it will not be eligible for the Estate Planning Seminar. It is not open to those who have taken Trusts and Estates I or II. *Link*.

Professional Responsibility L 266†

2 hrs, fall and spring

The lawyer's obligation to clients, the courts, and the public. The organization and ethics of the legal profession including the qualification, admission, and discipline of lawyers. *Gressman, Lefstein, Powell*.

Psychiatry and the Law L 260

3 hrs, spring

Focuses on three issues: the manner in which psychiatric concepts and techniques can be utilized to understand the motivation and actions of clients; the legal issues created by delivery of services to the mentally ill in both civil and criminal settings; and the role that mental health professionals play in the legal system. The course is taught by a psychiatrist and emphasizes discussions of general concepts and controversies rather than specific case analyses. *Halleck*.

Real Estate Finance L 270†

2 hrs, spring

The law of real property security; mortgages, deeds of trust, installment contracts, equitable mortgages; priorities and subordination among security interests; rights on default and foreclosures; deficiency judgments; construction lending; mechanics' and materialmen's liens; FHA and VA-assisted financing; the second mortgage market; and other selected topics. *Harllee*.

Real Estate Practice L 275

3 hrs

Problems and practices in representing the vendor or purchaser of various kinds of real estate, with emphasis on single-family, residential transactions. Contracts, options, surveys, descriptions, title examination, title objections, opinions on title, title insurance and coverage, closing documents, closings, ethical considerations. Students will prepare various instruments and conduct representative transactions. Enrollment limited to 16 students; preference will be given to third-year students. Although not a prerequisite, it is recommended that students take Real Estate Finance before or while taking Real Estate Practice.

Remedies L 274† **3 hrs, fall and spring**

Coverage includes remedies in equity, restitution, and damages: the substantive principles of equity and restitution; and the influence of remedy and substantive law upon each other. Coverage of the damage remedy includes its goals and basic premises, the elements and measure of recovery, limitations upon recovery, and various types of punitive awards. Coverage of equitable remedies includes limitations upon the exercise of equitable jurisdiction and such traditional equitable remedies as specific performance, injunction, reformation, and rescission. Both the substantive and remedial aspects of restitution are examined. Considerations affecting the availability of and choice among remedies are explored. *Byrd, Weisburd.*

Sales and Secured Transactions L 276† **4 hrs, fall and spring**

Coverage in depth of the sale of goods and secured transactions involving personal property and fixtures. Formation of the contract of sale warranties, performance obligations, risk of loss, default, monetary and other remedies. Creation and perfection of security interests, priorities, and remedies upon default. *L. Broome, Bruckel.*

Securities Regulation L 278 **3 hrs, spring**

A comprehensive and intensive survey of the statutes and regulations governing the distribution of securities, trading of securities on the stock exchanges and the over-the-counter markets, the regulation of broker-dealers, and the growing role of institutional investors. Primary focus is placed upon the Securities Act of 1933 and the Securities Exchange Act of 1934, with limited attention to state "Blue Sky" securities legislation. Prerequisite: Business Associations (may be taken concurrently). *Hazen.*

Taxation, Corporate Income L 284† **3 hrs, fall**

Taxation of corporations, corporate dividend and liquidating distributions, corporate organizations and reorganizations. Prerequisites: Taxation, Income; Business Associations. *Bryan, Zelenak.*

Taxation, Corporate Income L 284A† **2 hrs, spring**

An introduction and overview of corporate taxation designed for those students who expect to be involved in a business practice and need some familiarity with relevant tax provisions but not specialization in the tax area. This course is offered in the period between spring break and the end of the semester. Students who take this course are precluded from taking the three-hour Taxation, Corporate Income course for credit. Prerequisite: Taxation, Income. *Bittker.*

Taxation, Estate and Gift L 282* **3 hrs, fall and spring**

Fundamentals of estate, inheritance and gift taxation, with applications in estate planning. *Visitor.*

Taxation, Income L 280* **3 hrs, fall and spring**

A study of basic legal problems involved in the federal and state income tax laws, together with a brief examination of income tax procedure. *Bryan, Zelenak.*

Taxation, Partnership L 287 **3 hrs, spring**

Coverage of the taxation of partnerships as well as the taxation of small corporations electing S status. Prerequisite: Taxation, Income. *Pennell*.

Trade Regulation L 286 **3 hrs**

A combination of antitrust law and the law of unfair trade practices. Major emphasis is given to the Sherman Act, the Clayton Act (including Robinson-Patman) and the Federal Trade Commission Act.

Trial Advocacy L 288† **3 hrs, fall and spring**

A study of the trial as part of the legal system. Class members will participate in demonstrations of various trial and pretrial proceedings. Successful completion of the course in Evidence is a prerequisite. Enrollment limited to 20 students in each section; preference will be given to third-year students. *Alexander, Becton, Beskind, Blakey, Fuller, Johnson, Lefstein, Rosen, Rudolf*.

Trusts and Estates I and II L 268-269* **3 hrs, fall; 3 hrs, spring**

Intestate succession; limitations on testamentary power; formalities for the execution and revocation of wills; republication, revival, incorporation by reference and related doctrines; contest of wills and related remedies, con-



struction problems, will substitutes other than trusts. The nature, creation and termination of express trusts, including charitable trusts; resulting and constructive trusts; the rights of the beneficiary; rights, powers and liabilities of the trustee. The administration of trusts and decedents' estates. Future interests and powers of appointment, including creation, problems of construction, and rules against perpetuities and accumulation. Not open to those who have elected Probate Law.

It is recommended that students take either Probate Law or Trusts and Estates I and II; it is not recommended that students take only Trusts and Estates I. A. Broome, Haskell.

Unfair Trade Practices L 294

3 hrs

A study of the common law and statutory prohibitions, other than the anti-trust laws, against unfair competition among businesses. There are three basic topics: (1) the interface among trademark, copyright, patent and trade secret law and how they combine to prevent a competitor from taking, adopting or copying another's products, processes, designs, works of authorship, secrets, employees, trademarks, packaging, labels, etc.; (2) the Federal Trade Commission's regulation of false advertising and other practices that are unfair and deceptive; and (3) the Robinson-Patman Act, which regulates price discrimination.

Independent Study L 399

Maximum 3 hrs

The student pursues an independent study project under the supervision of a faculty member who has a special interest in that area. Consent of the faculty member must be obtained before registering for the course. No faculty member has a duty to accept any proposal. Course credit up to a maximum of 3 credit hours is decided upon by the student and the faculty member before the project is begun. Once course credit is agreed upon, the project will be graded in accordance with general law school standards for such credit. In no event will the hour credit be increased or decreased after the initial determination of credit. Failure to satisfy the agreed hour credit will call for a grade of "F." Independent study credit may be conferred for a maximum of three hours during a student's law school career. *Faculty.*

SEMINARS

All students must take at least one seminar in order to graduate, and it is recommended that students take two seminars, normally one each semester of the third year. If more students desire to register for a seminar than can be accepted, selection will be made on principles determined by the law faculty. If any seminar is not filled, a student may apply for registration in such seminar in addition to the seminar to which he or she has been admitted. Second-year students are eligible for admission to any seminar which is not filled by seniors, subject to the consent of the instructor.

As an alternative, the seminar requirement may be fulfilled by successful completion of seminar credit work in an elective course in which the instructor has elected to offer the option to a limited number of students for "seminar credit." Conditions and guidelines for each such offering are posted by the instructor not later than the third meeting of the course, and written permission of the instructor must be obtained by the student. A course offered for seminar credit may be taken either for seminar credit or for course credit but not for both. A student who takes a course for seminar credit will receive as total credit hours only the number of hours normally offered for the course.

The Appellate Defender Clinic, L 392, described in the Second- and Third-Year Courses section of the catalog, also qualifies for seminar credit. Normal seminar features apply: the course is graded rather than pass-fail, and each student must make a seminar-style oral presentation.

Administrative Law L 375 3 hrs, spring

Students undertake in-depth studies of specific problems in administrative law or in-depth studies of particular administrative agencies. Emphasis is placed on combining legal research and field research with a view to applying administrative law concepts to analyze specific problems or to study specific agencies. Prerequisite: Administrative Law, except by permission of professor. *Daye*.

Business Planning L 305 3 hrs, fall

A study of the organization, operation, and reorganization of business corporations in terms of selected problem areas in corporation law, securities regulation and taxation. Emphasis will be placed on the solving of realistic and practical problems of business planning. Business Associations and Corporate Taxation are prerequisite or may be taken concurrently; Securities Regulation is helpful but not required. *Abel*.

Civil Procedure L 307 3 hrs

An examination of the widespread perception in the legal community that the civil justice system is being overwhelmed by excessive litigation, spurious claims, defenses and motions, and discovery abuses, all of which produce court congestion, delay, excessive costs, and undue complexity and confusion.

Comparative Constitutional Law L 342 3 hrs, spring

Examines similar constitutional issues as they have arisen in different countries and explores their solutions. *Groves*.

Constitutional Adjudication L 310 3 hrs, spring

Seeks to simulate the constitutional adjudicative process by acting as the "Supreme Court." It considers cases to which the seminar has granted certiorari. Two students argue each case; the remaining students and the instructor act as the court. Writing assignments consist of majority, concurring, and dissenting opinions assigned by the instructor in his role as chief justice. Enrollment limited to ten students. Prerequisites: Constitutional Law and Criminal Procedure. *Loewy*.

Constitutional Law L 312 3 hrs, fall

Research, writing, and discussion of topics in basic constitutional law or briefs and oral arguments of cases before the U.S. Supreme Court. *Murphy*.

Corporate Law L 331 3 hrs, fall and spring

Research, writing, and discussion on selected topics in the field of corporate law. Prerequisite: Business Associations. *Taylor*.

Estate Planning L 315 3 hrs, spring

Individual investigation and reports on problems in property, estate, trust, future interests, insurance, and tax law in relation to the arrangement and disposition of an estate during life and at death. Prerequisites: Income Taxation, Estate and Gift Taxation, Trusts and Estates I; strongly recommended: Corporate Income Taxation, Trusts and Estates II. Registration subject to approval of instructor. *Lewis*.

Ethical Issues in Trusts & Estates L 334 3 hrs, fall

Study of current ethical and professional responsibility issues in decedents' estates and trusts, including fiduciary administration. Consideration will be given to professional responsibility and malpractice issues facing lawyers and to ethical and legal considerations affecting nonlawyers such as individual and corporate fiduciaries. A comparative perspective is sought by examining the treatment of similar issues for other professions. Recent developments will include the 1983 Model Rules of Professional Conduct, tax elections under the 1976 and 1981 Reform Acts, and the 1974 Employee Retirement Income Security Act (ERISA). *Link*.

Family Disputes Resolution L 336 3 hrs, spring

Focuses on the adversarial and nonadversarial models for the settlement of domestic problems. Seeks to aid students in developing analytical and other practical skills. Papers are required in the areas of alimony, attorneys' fees, property settlements, separation agreements, child custody, child support, enforcement, and modification of decrees, etc. Practical skills, including interviewing, negotiating and drafting of separation agreements, orders, pleadings, and motions are emphasized. Relevant legal and ethical issues are also considered. *Sharp*.

Health Policy Issues L 317 3 hrs, spring

Law students and graduate students from the health sciences are brought together in this seminar to develop interdisciplinary approaches to the problems in the delivery of health-related services. Emphasis on research techniques and the problems of interdisciplinary communication. Prerequisite: Health, Law, and Public Policy, or permission of the instructor. *Wing*.

Issues in International Business L 319 **3 hrs**

Concentrates on three areas: government regulation of importing and exporting, tax considerations in international business; and international aspects of U.S. antitrust laws. Examines in depth the legal, sociopolitical, and bureaucratic factors that affect each of these areas. Each student will select a particular issue related to the scope of the seminar for intensive study culminating in a seminar paper.

Jurisprudence L 320 **3 hrs, spring**

Underlying every legal doctrine is a philosophical base, which consciously or unconsciously incorporates assumptions concerning the nature of reality, of knowledge, and of language, and conclusions involving morality, the ends of social organization, and the nature of man. The seminar seeks to explore these bases and utilizes a wide variety of sources, including traditional legal material, literature, philosophy, psychology, and sociology. *Nakell*.

Labor Law L 323 **3 hrs, spring**

Individual investigations and reports, with group discussions, on current and crucial problems arising under the federal and state labor-relations laws. *Murphy*.

Land Use L 328 **3 hrs**

Selected topics in land use regulation, including problems associated with rezoning, nonconforming uses, and restrictive covenants. Attention to practical and strategic considerations, litigation and litigation-prevention techniques, methods of drafting ordinance amendments. Prerequisite: Land Use Control.

Law and Social Science L 381 **3 hrs, fall**

Introduction to social science theories about the resolution of disputes, exploration of the role of social science in investigating our legal process, and consideration of the uses of social science as evidence. The seminar includes review of the writings of anthropologists and other social scientists on the topic of dispute resolution, discussion of a number of contemporary social science approaches to the study of our legal system, including studies of the workings of the jury and the dynamics of courtroom communications, and focus on the potential for use and abuse of social science evidence. *Conley*.

Lawyers, Legislation, and Public Policy L 325 **3 hrs**

Seeks to anticipate possible legislative solutions to social problems by analyzing the lawyer's role in the conception and implementation of laws designed to promote various social ends. Examines the interaction between government policy making and law in the nonlitigation context. The aim of the course is to increase familiarity with the strengths and weaknesses of legislatively-imposed solutions in order to explain and predict outcomes of government action and to improve the capacity to choose aims, select tactics, assess feasibility, and weigh risks generally associated with governmental (particularly bureaucratic) involvement in social problems. The impact of personality, organization, the media, economics, and private groups is considered.



Legal History L 303

3 hrs

Supervised research and writing on selected topics in Anglo-American legal history, with emphasis on the relationship between doctrinal change and political, social, and economic conditions.

Legal Issues in Higher Education L 332

3 hrs, spring

A study of the business operation of and risk management in institutions of higher education. Issues in areas such as employment, admissions, academic freedom, tenure, athletics, student rights, management of institutional funds, intellectual property rights, and university-industry relations are examined within the framework of applicable laws and regulations, institutional rules, academic custom, and societal expectations. *Ehringhaus*.

Legal Rights of Handicapped Persons L 343

3 hrs, spring

An examination of emerging legal issues involving discrimination on the basis of handicap, including constitutional and statutory issues relating to education and employment rights, rights of access for physically disabled persons, and institutionalization and other issues particularly relating to mentally disabled persons. Prerequisite: Constitutional Law (completion or concurrent enrollment, subject to waiver by instructor). *Wegner*.

Legal Theory L 382

3 hrs, spring

The purpose of the seminar is to acquaint the participants with the culture of the law and to enable them to clarify their own theories of law. Extensive consideration is given to the basic theoretical questions about law: (1) What is law (as distinct from commands, custom, justice, morality)? and (2) What

should be the relation of law to justice and morality? These basic questions generate many others — for example, How is justice to be determined? by economic efficiency? by Rawlsian maximin? by lottery? and Who is to determine what justice or even what the law is in a specific situation? elected or unelected officials? the marketplace? Readings are in English and American legal theorists of the last hundred years with emphasis on those writing since about 1960, including H.L.A. Hart, Ronald Dworkin, the law and economics movement, and the critical legal studies movement. *Haas*.

Political and Civil Rights L 316 3 hrs, fall

Study of problems of free speech and assembly, of separation of church and state, and of equal protection in light of their recurrence on the current scene. Students write briefs and memoranda about pending cases and pending issues. *Pollitt*.

Products Liability L 368 3 hrs, fall

An examination of the legal theories supporting and limiting recovery for injuries caused by dangerous products. Students engage in research, writing, and discussion of emerging legal issues in the area, such as the scope of manufacturer's duty to warn, alternative and enterprise liability, the effect of plaintiff's conduct and knowledge on recovery, statutes of limitation and repose, and procedural problems arising in mass tort litigation. *Gibson*.

Remedies L 345 3 hrs

Research, writing, and discussion of selected topics in the law of remedies.

Supreme Court Practice and Appellate Advocacy L 311 3 hrs, fall

A clinical study of effective advocacy before the U.S. Supreme Court and other appellate tribunals. Emphasis is given to jurisdiction, procedures, and internal operations of the Supreme Court, including the 1980 rule revisions. Also stressed are techniques of appellate advocacy generally, including the arts of concise and clear legal writing, briefing, and oral argument. Students will prepare petitions for certiorari and opposing briefs. The seminar customarily travels to Washington to observe the Court and visit with one of the justices. *Gressman*.

Tax Practice L 388 3 hrs, spring

Examination of various procedural, policy, and ethical issues which arise in connection with tax practice. Students also research substantive tax issues in order to become familiar with tax research materials. Papers are written in the form of documents typically used in tax practice, such as requests to the Internal Revenue Service for private rulings or protests to proposed tax deficiencies. *Bryan*.

Torts L 335 3 hrs, spring

Research in and analysis of a specific aspect of tort law. The area of study will vary from year to year. Recent subjects considered have been defamation and product liability. The usual method employed is a series of short papers on the topic under consideration. *Byrd*.

► INSTITUTIONS REPRESENTED 1984-1985

Adelphi University
 Alderson-Broaddus College
 American University
 Appalachian State University
 Arkansas Tech University
 Atlanta University
 Atlantic Christian College
 Auburn University
 Barnard College
 Bennett College
 Boston State College
 Boston University
 Brigham Young University
 Brown University
 Campbell University
 Canisius College
 Carleton College
 Carnegie-Mellon University
 Carroll College (WI)
 Catawba College
 Clemson University
 Coe College
 Colgate University
 Colorado College
 Colorado, University of
 Converse College
 Cornell University
 Dallas, University of
 Dartmouth College
 Davidson College
 Delaware, University of
 Denison University
 Drexel University
 Duke University
 East Carolina University
 Eastern College
 Elon College
 Emory University
 Emporia State University
 Fairfield University
 Fayetteville State University
 Ferris State College
 Florida A&M University
 Florida State University
 Fordham University
 Franklin College
 Furman University
 Gardner-Webb College
 Georgetown University
 Georgia State University
 Georgia, University of
 Goucher College
 Grinnell College
 Guilford College
 Hampden-Sydney College
 Hampshire College

Haverford College
 High Point College
 Hollins College
 Howard University
 Illinois, University of
 Indiana University
 Johns Hopkins University
 Johnson C. Smith University
 Kalamazoo College
 Keene State College
 Kentucky, University of
 Knox College
 Kutztown State College
 LeMoyne College
 Lenoir Rhyne College
 Mary Baldwin College
 Maryland, University of
 Meredith College
 Messiah College
 Miami University
 Miami, University of
 Michigan State University
 Michigan, University of
 Middlebury College
 Millersville State College
 Mississippi, University of
 Missouri, University of
 Mount Holyoke College
 Mount Union College
 Nazareth College (NY)
 Nebraska, University of
 New York, State University of (Albany)
 New York, State University of (Binghamton)
 New York, State University of (Buffalo)
 New York, State University of (Fredonia)
 New York, State University of
 (Maritime College)
 New York, State University of (New Paltz)
 New York, State University of (Oswego)
 New York, State University of (Stony Brook)
 North Carolina A&T University
 North Carolina, University of (Asheville)
 North Carolina, University of (Chapel Hill)
 North Carolina, University of (Charlotte)
 North Carolina, University of (Greensboro)
 North Carolina, University of (Wilmington)
 North Carolina Central University
 North Carolina State University
 North Carolina Wesleyan College
 Northwestern University
 Notre Dame University
 Oakland University
 Oglethorpe University
 Ohio Northern University
 Ohio State University
 Oklahoma, University of

Pacific University
 Pembroke State University
 Pennsylvania State University
 Pennsylvania, University of
 Pittsburgh, University of
 Princeton University
 Queens College
 Richmond, University of
 Rollins College
 Rutgers State University
 St. Leo College
 St. Louis University
 St. Michael's College
 Seton Hall University
 Smith College
 South, University of the
 South Carolina, University of
 Southwestern at Memphis
 Spring Hill College
 Stetson University
 Tennessee, University of
 Texas, University of
 Towson State University
 Transylvania University
 Trinity College

Tulane University
 Tulsa, University of
 U.S. Merchant Marine Academy
 Vanderbilt University
 Vassar College
 Villanova University
 Virginia, University of
 Virginia Polytechnic Institute
 and State University
 Wake Forest University
 Warren Wilson College
 Washington and Jefferson College
 Washington College
 Washington University
 Weber State College
 Wellesley College
 Wesleyan University
 Western Carolina University
 Western Michigan University
 West Florida University
 West Virginia Wesleyan College
 William and Mary, College of
 Wingate College
 Winston-Salem State University
 Yale University



► RESIDENCE STATUS FOR TUITION PURPOSES

The following sections summarize important aspects of the residency law. A complete explanation of the Statute and the procedures under the Statute is contained in *A Manual to Assist the Public Higher Education Institutions of North Carolina in the Matter of Student Residence Classification for Tuition Purposes*. This *Manual* and other information concerning the application of this law are available for inspection in the Admissions Offices of the University. Copies of the *Manual* are also on reserve at the Robert B. House Undergraduate Library.

All students are responsible for knowledge of the contents of the Statute and the *Manual*.

General. Every applicant for admission is required to make a statement as to his or her length of residence in North Carolina. The tuition charge for legal residents of North Carolina is less than for nonresidents. To qualify for in-state tuition, a legal resident must have maintained his or her domicile in North Carolina for at least twelve months immediately prior to the beginning of the term for which classification as a resident for tuition purposes is sought. The student must also establish that his or her presence in the State during such twelve-month period was for purposes of maintaining a bona fide domicile rather than for purposes of mere temporary residence incident to enrollment in an institution of higher education. A student seeking classification as a resident for tuition purposes must complete an application for resident status (obtainable at his or her admissions office) and return it to the proper admissions office before the end of the term for which resident status for tuition purposes is sought. The last day of the final examination period is considered the last day of the term. Every student must be classified either resident or nonresident before enrolling. Unless the student supplies enough information to allow the admissions officer to classify the student as a resident for tuition purposes, the student will be classified a nonresident for tuition purposes.

When an enrolled student has applied to be classified a resident for tuition purposes and receives an institutional request for more information in connection with that application before the end of the term for which classification is sought, the student must respond to that request no later than three weeks after the end of the term. If the student does not receive the request for supplemental information until after the end of the term in question, he or she must supply the requested information within three weeks of receipt of the request. Failure to supply the requested information within the specified time limit will result in a continuation of the student's "nonresident" classification unless good cause is shown for such failure.

Domicile. Domicile means one's permanent dwelling place of indefinite duration, as distinguished from a temporary place of abode; synonymous with "legal residence."

Burden of Proof and Statutory Prima Facie Evidence. The student has the burden of establishing facts which justify his or her classification as a resident for tuition purposes. The balancing of all the evidence must produce a preponderance of evidence supporting the assertion of in-state residence. Under the statute proof of resident status is controlled initially by one of two evidentiary beginning points which are stated in terms of prima facie evidence.

a. Even if the student is an adult, if his or her parents (or court-appointed guardian in the case of some minors) are not legal residents of North Carolina, this is prima facie evidence that the student is not a legal resident of North Carolina unless the student has lived in this state the five consecutive years prior to enrolling or reregistering. To overcome this prima facie showing of nonresidence, the student must produce evidence that he or she is a North Carolina domiciliary despite the parents' nonresident status.

b. Conversely, if the parents of the student are domiciliaries of North Carolina under the Statute, this fact constitutes prima facie evidence that the student is a domiciliary of North Carolina. This prima facie evidence may also be overcome by other evidence of legal residence. If the student has neither living parents nor legal guardian, the prescribed prima facie evidence rule cannot and does not apply.

1. The information in this section comes from three sources: (i) North Carolina General Statutes, Sec. 116-143.1 (ii) *A Manual to Assist the Public Higher Education Institutions of North Carolina in the Matter of Student Residence Classification for Tuition Purposes*, revised September 1984, (iii) Chancellor's Rules and Procedures for Residence Classification of Students for Tuition Purposes.

Statutory Exceptions

a. *Grace Period.* If a student has been properly classified as a resident for tuition purposes and, thereafter, his or her state of legal residence changes, the student does not automatically lose the benefit of the in-state tuition rate immediately. Instead the statute provides for a grace period if the following conditions are satisfied:

1. The student must have been properly classified as a resident for tuition purposes, on the basis of a valid finding that the student in fact was a legal resident of North Carolina and had been such for the requisite twelve-month period prior to classification;

2. At the time of subsequent change of legal residence to a state other than North Carolina, the student must have been enrolled in a public institution of higher education in North Carolina.

The extent of this grace period (during which the in-state rate is applicable in spite of the fact that the student is not a legal resident of North Carolina) is twelve months from the date of change in legal residence plus any portion of a semester or academic term remaining, as of the expiration date of the twelve-month period, in which the student is enrolled.

b. *Qualifying Periods for Spouses.* By virtue of the provisions of G.S. 116-143.1, if a student otherwise can demonstrate compliance with the fundamental statutory requirement that he or she be a legal resident of North Carolina before the beginning of the term for which resident status is sought, the second statutory requirement relating to duration of residence may be satisfied derivatively, in less than twelve months, by reference to the length of the legal residence of the student's spouse, if the spouse has been a legal resident of the State for the requisite twelve-month period.

c. *Reacquisition of Resident Tuition Status.* The prescribed twelve-month period of legal residence may also be shortened if the person seeking to be classified as a resident for tuition purposes was formerly classified a North Carolina resident for tuition purposes, abandoned North Carolina domicile, and re-established North Carolina domicile within twelve months after abandoning it. Students should consult their admissions offices for a detailed explanation of the conditions which must be met to qualify under this section.

Married Persons. The domicile of a married person, irrespective of sex, is determined by reference to all relevant evidence of domiciliary intent. No person is precluded, solely by reason of marriage to a person domiciled outside of North Carolina, from establishing or maintaining legal residence in North Carolina. No person is deemed, solely by reason of marriage to a person domiciled in North Carolina, to have established or maintained a legal residence in North Carolina. The fact of marriage and the place of the domicile of his or her spouse are deemed relevant evidence to be considered in ascertaining domiciliary intent.

Minors. A minor is any person who has not reached the age of eighteen years. The domicile of a minor is presumed under the common law to be that of the father, subject to rebutting evidence. If the father is deceased, the domicile of the minor is that of the surviving mother. If the parents are divorced or legally separated, the domicile of the minor is that of the parent having custody by virtue of a court order; or, if no custody has been granted by virtue of court order, the domicile of the minor is that of the parent with whom he or she lives; or, if the minor lives with neither parent, in the absence of a custody award, the domicile of the minor is presumed to remain that of the father. If the minor lives for part of the year with each parent, in the absence of a custody award, the minor's domicile is presumed to remain that of the father.

In determining residence status for tuition purposes, there are two exceptions to the above provisions:

1. If a minor's parents are divorced, separated, or otherwise living apart and one parent is a legal resident of North Carolina, during the time period when that parent is entitled to claim, and does claim, the minor as a dependent on the North Carolina individual income tax return, the minor is deemed to be a legal resident of North Carolina for tuition purposes, notwithstanding any judicially determined custody award with respect to the minor.

If, immediately prior to his or her eighteenth birthday, a person would have been deemed to be a North Carolina legal resident under this provision but he or she achieves majority before enrolling in an institution of higher education, that person will not lose the benefit of this provision if the following conditions are met:

a. Upon achieving majority the person must act, as much as possible, in a manner consistent with bona fide legal residence in North Carolina; and

b. The person must begin enrollment at an institution of higher education not later than the fall academic term next following completion of education prerequisite to admission at the institution.

2. If, immediately prior to beginning an enrolled term, the minor has lived in North Carolina for five or more consecutive years in the home of an adult relative (other than a parent) who is a legal resident of North Carolina, and if the adult relative, during those years, has functioned as a de facto guardian of the minor, then the minor is considered a legal resident of North Carolina for tuition purposes. If a minor qualified for resident status for tuition purposes under this provision immediately prior to his or her eighteenth birthday, then, upon becoming eighteen, he or she will be deemed to be a legal resident of North Carolina of at least twelve months' duration.

Even though a person is a minor, under certain circumstances the person may be treated by the law as being sufficiently independent from his or her parents as to enjoy a species of adulthood for legal purposes. If the minor marries or obtains a judicial decree of emancipation under N.C. Gen. Stat. §7A-717, et seq., he or she is emancipated. The consequence, for present purposes, of such emancipation is that the affected person is presumed to be capable of establishing a domicile independent of that of the parents; it remains for that person to demonstrate that a separate domicile in fact has been established.

Aliens. Aliens who are permanent residents of the U.S., or who hold a visa which will permit eventual permanent residence in the U.S., are subject to the same considerations with respect to determination of legal residence as citizens. An alien abiding in the United States under a visa conditioned at least in part upon intent not to abandon a foreign domicile (B, F, H, and J visas) cannot be classified a resident. An alien abiding in the United States under a visa issued for a purpose which is so restricted as to be fundamentally incompatible with an assertion by the alien of bona fide intent to establish a legal residence (C, D, and M visas) cannot be classified a resident.

Possession of certain other immigration documents may also allow an alien to be considered for in-state tuition status. For more details aliens should consult their admissions offices and the *Manual*. Aliens must file a Residence Status Supplemental Form in addition to the forms normally required of applicants for resident status for tuition purposes.

Military Personnel. The domicile of a person employed by the Federal Government is not necessarily affected by assignment in or reassignment out of North Carolina. Such a person may establish domicile by the usual requirements of residential act plus intent. No person loses his or her in-state resident status solely by serving in the armed forces outside of the State of North Carolina.

Prisoners. There are special provisions concerning domicile of prisoners. For more information, persons to whom these provisions may apply should consult the *Manual*.

Property and Taxes. Ownership of property in or payment of taxes to the State of North Carolina apart from legal residence will not qualify one for the in-state tuition rate.

Change of Status. A student admitted to initial enrollment in an institution (or permitted to re-enroll following an absence from the institutional program which involved a formal withdrawal from enrollment) is classified by the admitting institution either as a resident or as a nonresident for tuition purposes prior to actual matriculation. In the absence of a current and final determination of the student's residence prior to matriculation, the student is classified a nonresident for tuition purposes. The institution will thereafter reach a final determination of the student's residence status. A residence classification once assigned (and confirmed pursuant to any appellate process invoked) may be changed thereafter (with a corresponding change in billing rates) only at intervals corresponding with the established primary divisions of the academic calendar.

Transfer Students. When a student transfers from one North Carolina public institution of higher education to another, he or she is required to be treated as a new student by the institution to which he or she is transferring and must be assigned an initial residence classification for tuition purposes. The residence classification of a student by one institution is not binding on another institution. The North Carolina institutions of higher education will assist each other by supplying residency information and classification records concerning a student to another classifying institution upon request. The transfer into or admission to a different component of the same institution (e.g., from an undergraduate to a graduate or professional program) is not construed as a transfer from one institution to another

and thus does not by itself require a reclassification inquiry unless (1) the affected student requests a reclassification inquiry or (2) the transfer or enrollment occurs following the lapse of more than one quarter, semester, or term during which the individual was not enrolled as a student.

Responsibility of Students. Any student or prospective student in doubt concerning his or her residence status bears the responsibility for securing a ruling by completing an application for resident status and filing it with the admissions officer. The student who, due to subsequent events, becomes eligible for a change in classification, whether from out-of-state to in-state or the reverse, has the responsibility of immediately informing the Office of Admissions of these circumstances in writing. Failure to give complete and correct information regarding residence constitutes grounds for disciplinary action.

It is the responsibility of the student to pay tuition at the rate charged and billed while an appeal is pending. In effect, the student who is classified a nonresident at the time of tuition billing pays the nonresident rate. Conversely, if a student is classified as a resident at the time of billing, he or she pays the resident rate. Any necessary adjustments in the rate paid will be made at the conclusion of the appeal.

If a student, who has been found to be a nonresident for tuition purposes, receives an erroneous notice from an institutional officer identifying the student as a resident for tuition purposes, the student is not responsible for paying the out-of-state tuition differential for any enrolled term beginning before the classifying institution notifies the student that the prior notice was erroneous.

If a student is classified a resident for tuition purposes after submitting falsified residency information or after knowingly withholding residency information, the student's application for in-state status is fraudulent. The institution may re-examine any application suspected of being fraudulent, and if warranted, will change the student's residence status retroactively to the beginning of the term with respect to which the student originally made the fraudulent application. If this occurs the student must pay the out-of-state tuition differential for all the enrolled terms intervening between the fraudulent application and its discovery. Further, knowing falsification of responses on a resident status application may subject the applicant to disciplinary consequences, including dismissal from the institution.

Appeals of Rulings of Admissions Officers. A student appeal of a classification decision made by any admissions officer must be in writing and signed by the student and must be filed by the student with that officer within fifteen working days after the student receives notice of the classification decision. The appeal is transmitted to the Residence Status Committee by that officer, who does not vote in that committee on the disposition of such appeal. The student is notified of the date set for consideration of the appeal, and, on request of the student, he or she is afforded an opportunity to appear and be heard by the Committee. Any student desiring to appeal a decision of the Residence Status Committee must give notice in writing of that fact, within ten days of receipt by the student of the Committee's decision, to the Chairman of the Residence Status Committee, and the Chairman promptly processes the appeal for transmittal to the State Residence Committee.

Students or prospective students who believe that they are entitled to be classified residents for tuition purposes should be aware that the processing of requests and appeals can take a considerable amount of time and that applications for classification should not be delayed until registration, when the number of applications makes accelerated handling impossible.

Military Tuition Benefit¹

Certain members of the Armed Services, and their dependent relatives, who are not residents for tuition purposes may become eligible to be charged the in-state tuition rate under N.C. Gen. Stat. § 116-143.3, the military tuition benefit provision. Any person seeking the military tuition benefit must qualify for admission to UNC-CH and must file an application for the benefit with his or her admissions office before initial enrollment or re-enrollment for which he or she seeks the benefit. To remain eligible to receive the military tuition benefit, he or she must file another application for the benefit before the first day of classes of each succeeding fall term while he or she continues to be enrolled. The burden of proving eligibility for the military tuition benefit lies with the applicant for the benefit.

¹The information in this section comes from three sources: (i) North Carolina General Statutes, Sec. 116-143.3; (ii) *A Manual to Assist the Public Higher Education Institutions of North Carolina in the Matter of Student Residence Classification for Tuition Purposes*, Revised September 1984; (iii) Chancellor's Rules and Procedures for Residence Classification of Students for Tuition Purposes and Determination of Eligibility for the Special Military Tuition Benefit.

Eligibility of Members of the Armed Services. To be eligible for this military tuition benefit, the individual must:

- 1) be a member of the United States Air Force, Army, Coast Guard, Marine Corps, Navy, North Carolina National Guard, or a reserve component of one of these services; and
- 2) be abiding in North Carolina incident to active military duty which is performed at or from a duty station in North Carolina.

Eligibility of Dependent Relatives of Service Members. If the service member meets the conditions set forth above, his or her dependent relatives may be eligible for the military tuition benefit if they share the service member's North Carolina abode.

If the service member voluntarily ceases to live in North Carolina or is involuntarily absent from the state on military orders (other than absences on routine maneuvers and temporary assignments), he or she is deemed to have moved his or her abode from North Carolina. If a dependent relative of a service member has become eligible for the military tuition benefit and, after the beginning of the term of eligibility, the service member moves his abode from North Carolina, the dependent relative will continue to be eligible for the military tuition benefit only for the remainder of that academic year. An academic year runs from the first day of classes of the fall semester through the last day of exams of the following summer session, second term.

For a detailed explanation of the military tuition benefit provision and a complete list of categories of persons who are considered "dependent relatives" for purposes of establishing eligibility for the military tuition benefit, applicants should consult *A Manual to Assist the Public Higher Education Institutions of North Carolina in the Matter of Student Residence Classification for Tuition Purposes* (as amended September 1984). This *Manual* is available for inspection in the Admissions Offices of the University. Copies of the *Manual* are also on reserve at the Robert B. House Undergraduate Library.

Appeals of Eligibility Determinations of Admissions Officers. A student appeal of an eligibility determination made by any admissions officer must be in writing and signed by the student and must be filed by the student with that officer within fifteen working days after the student receives notice of the eligibility determination. The appeal is transmitted to the Residence Status Committee by that officer, who does not vote in that Committee on the disposition of such appeal. The student is notified of the date set for consideration of the appeal, and, on request of the student, he or she is afforded an opportunity to appear and be heard by the Committee.

Any student desiring to appeal a determination of the Residence Status Committee must give notice in writing of that fact to the Chairman of the Residence Status Committee within ten days of receipt by the student of the Committee's decision. The Chairman will promptly process the appeal for transmittal to the State Residence Committee.

► INDEX

A

Admission, 15
 Admission to Advanced Standing, 18
 American Indian Law Students
 Association, 36
 Athletic Facilities, 37
 Attendance, 28
 Auditing, 29

B

Bar Registration, 18
 Black Law Students Association, 35

C

Calendar, 5
 Clinics, 13
 Coif, 37
 Course Descriptions, 42
 Course Load Per Semester, 29
 Courses in Other Departments, 29

D

Degrees, 31; Combined Degree
 Programs, 32
 Directory Information Notice, 26
 Dropping/Adding Courses, 29

E

Employment, 24
 Examinations, 27
 Exclusion, 28
 Expenses, 21

F

Faculty, 8
 Financial Aid, 21
 First-Year Courses, 42

G

Grading Scale, 27

H

Health Service, 25
 Holderness Moot Court, 34
 Honor System, 19
 Honors, Awards, and Prizes, 37
 Housing, 24

I

Independent Study, 54
 Institutions Represented
 1984-85, 60
 Instruction, Program of, 12
 International Law Journal, 35

J

John J. Parker Society of
 International Law, 36
 Joint Degree Programs, 32
 Juris Doctor, 31; with Honors, 32

L

Law Guild, 37
 Law Review, 34
 Law School Admission Test, 16
 Library, 13
 Loans, 23

M

Map of Campus, 68
 Moot Court, 34

N

North Carolina Journal of
 International Law and
 Commercial Regulation, 35
 North Carolina Law Review, 34

P

Parking Permits, 26
 Placement Service, 40
 Prisoners' Rights Project, 36
 Professional Responsibility
 Requirement, 31
 Prospective Student Association, 36

R

Readmission, 28
 Residence Status for Tuition
 Purposes, 62

S

Scholarships and Student Aid, 21
 Scholastic Regulations, 27
 Second-year Courses, 43
 Second-year Writing
 Requirement, 31
 Seminars; Seminar Requirement, 55
 Student Activities, 34
 Student Bar Association, 34
 Summer Law School, 41

T

Third-Year Courses, 43
 Trial Advocacy, 13
 Tuition and Fees, 21

V

Visiting Students, 18

W

Withdrawals, 30
 Women in Law, 35

